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NOTICE THAT AN ENVIRONMENTAL IMPACT REPORT IS DETERMINED TO BE REQUIRED

Date of this Notice: November 30, 2002

Lead Agency: San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, CA 94103-2414

Agency Contact Person: Art Aguilar

Telephone: (415) 558-5973

DOCUMENTS DEPT.

DEC - 2 2002

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rance Fund

Telephone: (415) 565-1622

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REFERENCE BOOK

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ation Insurance Fund (SCIF) proposes to expand their San Francisco office at 1275 1-story, approximately 268,000 square-foot office building at 55 Ninth Street. The is occupied by a surface parking with about 173 parking spaces, located mid-block the block bounded by Market, Ninth, Mission, and Eighth Streets in the Mid-Market be approximately 175 feet high, plus a 31-foot mechanical penthouse, and would space and a two-level below-grade parking garage with about 134 parking spaces. space with and be connected to the adjacent SCIF office building (Lot 64) by a r and a pedestrian tunnel connection below the second level of the parking garage. The off-street parking and loading would be from Ninth Street. There would be four ground level in the center of the building. Trucks would enter and exit on Ninth Mission Street. The project site is zoned C-3-G (Downtown General Commercial) district. The proposed project would require authorization by the San Francisco cisco Planning Code Section 309 (Permit Review in C-3 Districts) and Section 321 ht and bulk reclassification, and exception to the bulk requirements. The proposed an Francisco Department of Public Works of a merge of Lots 63 and 64.

THIS PROJECT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED. This determination is based upon the criteria of the Guidelines of the State Secretary for Resources, Section 15063 (Initial Study), 15064 (Determining Significant Effect), and 15065 (Mandatory Findings of Significance), and the following reasons, as documented in the Environmental Evaluation (Initial Study) for the project, which is attached.

Deadline for Filing of an Appeal of this Determination to the Planning Commission: December 30, 2002. An appeal requires: (1) a letter specifying the grounds for the appeal, and (2) a \$209 filing fee. The public is invited to comment on the scope and content of the EIR. Please provide the input on scope and content of the EIR by December 30, 2002.

D

REF

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Review Officer



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Agency Contact Person: Art Aguilar

Telephone: (415) 558-5973

DOCUMENTS DEPT.

DEC - 2 2002

Project Title: 2001.1039E: 55 Ninth Street

Project Sponsor: State Compensation Insurance Fund

Project Contact Person: Denise Burian

Telephone: (415) 565-1622

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Project Address: 55 Ninth Street

Assessor's Block and Lot: Block 3701, Lots 63 and 64

City and County: San Francisco

Project Description: The State Compensation Insurance Fund (SCIF) proposes to expand their San Francisco office at 1275 Market Street by constructing an adjacent 11-story, approximately 268,000 square-foot office building at 55 Ninth Street. The project site (Assessor's Block 3701, Lot 63) is occupied by a surface parking with about 173 parking spaces, located mid-block on the northeastern side of Ninth Street in the block bounded by Market, Ninth, Mission, and Eighth Streets in the Mid-Market neighborhood. The new building would be approximately 175 feet high, plus a 31-foot mechanical penthouse, and would contain about 268,000 square feet of office space and a two-level below-grade parking garage with about 134 parking spaces. The proposed building would share open space with and be connected to the adjacent SCIF office building (Lot 64) by a pedestrian bridge located on the second floor and a pedestrian tunnel connection below the second level of the parking garage. The entrance to the new building and access to off-street parking and loading would be from Ninth Street. There would be four loading bays and a trash compactor on the ground level in the center of the building. Trucks would enter and exit on Ninth Street and could exit to Laskie Street onto Mission Street. The project site is zoned C-3-G (Downtown General Commercial) and is within a 120-X Height and Bulk District. The proposed project would require authorization by the San Francisco Planning Commission pursuant to San Francisco *Planning Code* Section 309 (Permit Review in C-3 Districts) and Section 321 (Office Development: Annual Limit), a height and bulk reclassification, and exception to the bulk requirements. The proposed project would also require approval by the San Francisco Department of Public Works of a merge of Lots 63 and 64.

THIS PROJECT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED. This determination is based upon the criteria of the Guidelines of the State Secretary for Resources, Section 15063 (Initial Study), 15064 (Determining Significant Effect), and 15065 (Mandatory Findings of Significance), and the following reasons, as documented in the Environmental Evaluation (Initial Study) for the project, which is attached.

Deadline for Filing of an Appeal of this Determination to the Planning Commission: December 30, 2002. An appeal requires: (1) a letter specifying the grounds for the appeal, and (2) a \$209 filing fee. The public is invited to comment on the scope and content of the EIR. Please provide the input on scope and content of the EIR by December 30, 2002.

Rich Cooper, for

Paul Maltzer
Environmental Review Officer

INITIAL STUDY

2001.1039E: 55 Ninth Street

I. PROJECT DESCRIPTION AND SETTING

A. PROJECT DESCRIPTION

The State Compensation Insurance Fund (SCIF) proposes to expand their San Francisco office at 1275 Market Street by constructing an adjacent 11-story, approximately 268,000 square-foot office building at 55 Ninth Street (Figure 1, page 3). The proposed project site (Assessor's Block 3701, Lot 63) is occupied by a surface parking lot with about 173 parking spaces, located mid-block on the northeastern side of Ninth Street in the block bounded by Market, Ninth, Mission and Eighth Streets in the Mid-Market neighborhood. The existing 1275 Market Street SCIF building occupies the adjacent Lot 64, to the northwest.

The new building would be approximately 175 feet high, plus a 31-foot mechanical penthouse, and would contain about 268,000 square feet of office space and a two-level below grade parking garage with about 134 spaces (93 self-park and 41 tandem), as shown in Figures 2 through 10, pages 3 to 12.

The proposed building would be connected to the existing adjacent approximately 325,000 square-foot State Compensation Insurance Fund office building (occupying Lot 64) by a pedestrian bridge located on the second floor and a pedestrian/service tunnel connection below the second level of the parking garage. These connections would allow for movement of supplies and would be accessible by freight elevator. The proposed steel frame building would feature glass curtain walls with the southeast and southwest corners constructed of natural stone material to echo the facade of the 1275 Market Street building.

The proposed project would provide approximately 25,392 square feet of exterior, landscaped open space available to the public, that would be shared with the proposed new building and the existing 1275 Market Street building.

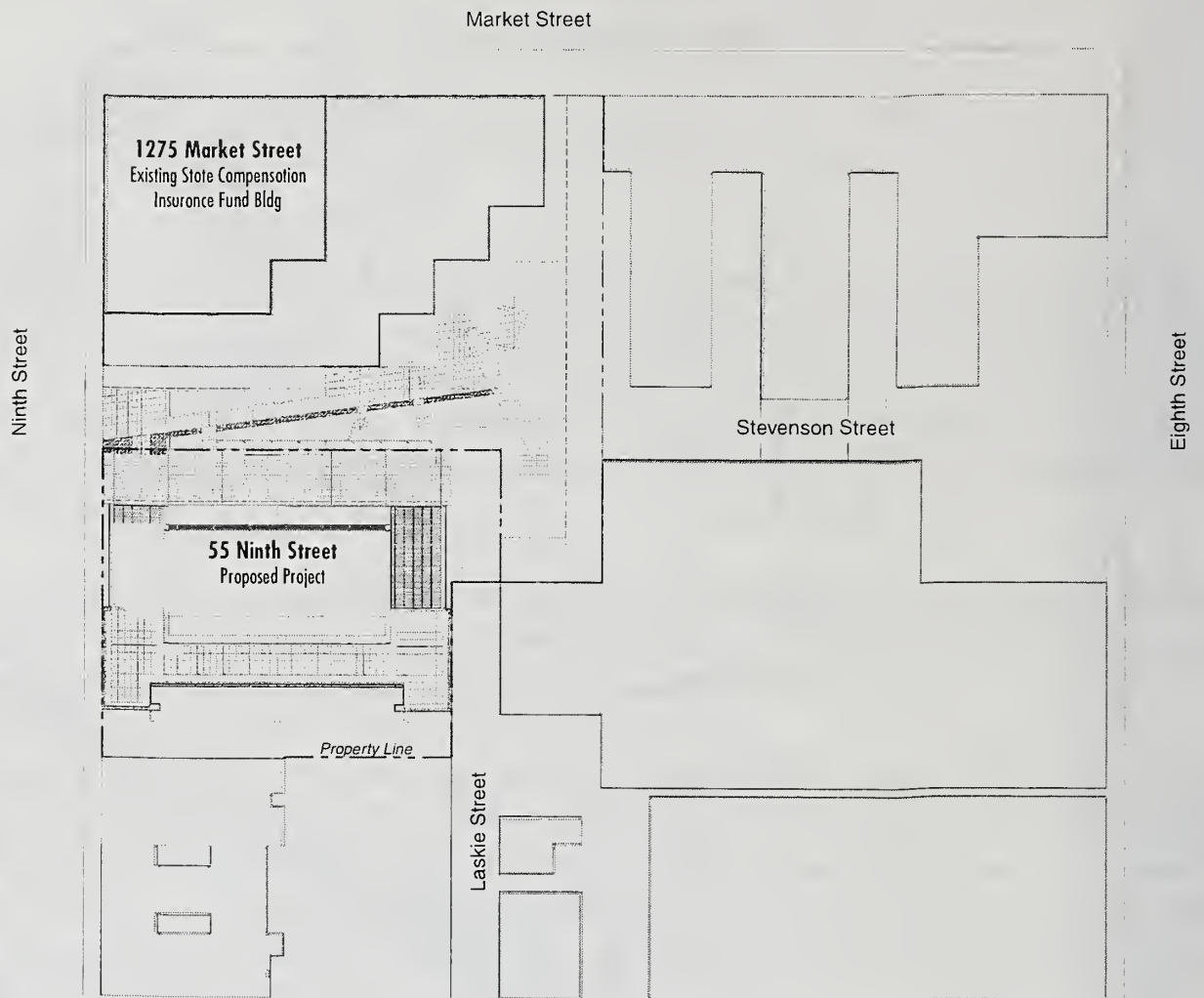
The entrance to the new building and access to off-street parking and loading would be from Ninth Street. There would be four loading bays and a trash compactor on the ground level in the center of the building. Trucks would enter and exit on Ninth Street and could also exit on Laskie Street, which connects with Mission Street.

The project site (Lot 63) is approximately 35,800 square feet in size and is located in the Mid-Market neighborhood. The site is zoned C-3-G (Downtown General Commercial) and is within a 120-X Height and Bulk District. The Floor Area Ratio is 6:1. The proposed project would require authorization by the San Francisco City Planning Commission pursuant to *Planning Code* Section 309 (Permit Review in a C-3 District) and Section 321 (Annual Limit on Office Development), a height and bulk reclassification, and an exception to the bulk requirements. The proposed project would also require approval by the San Francisco Department of Public Works of a merge of Lot 63 (the project site) and Lot 64 (the existing 1275 Market Street SCIF building).



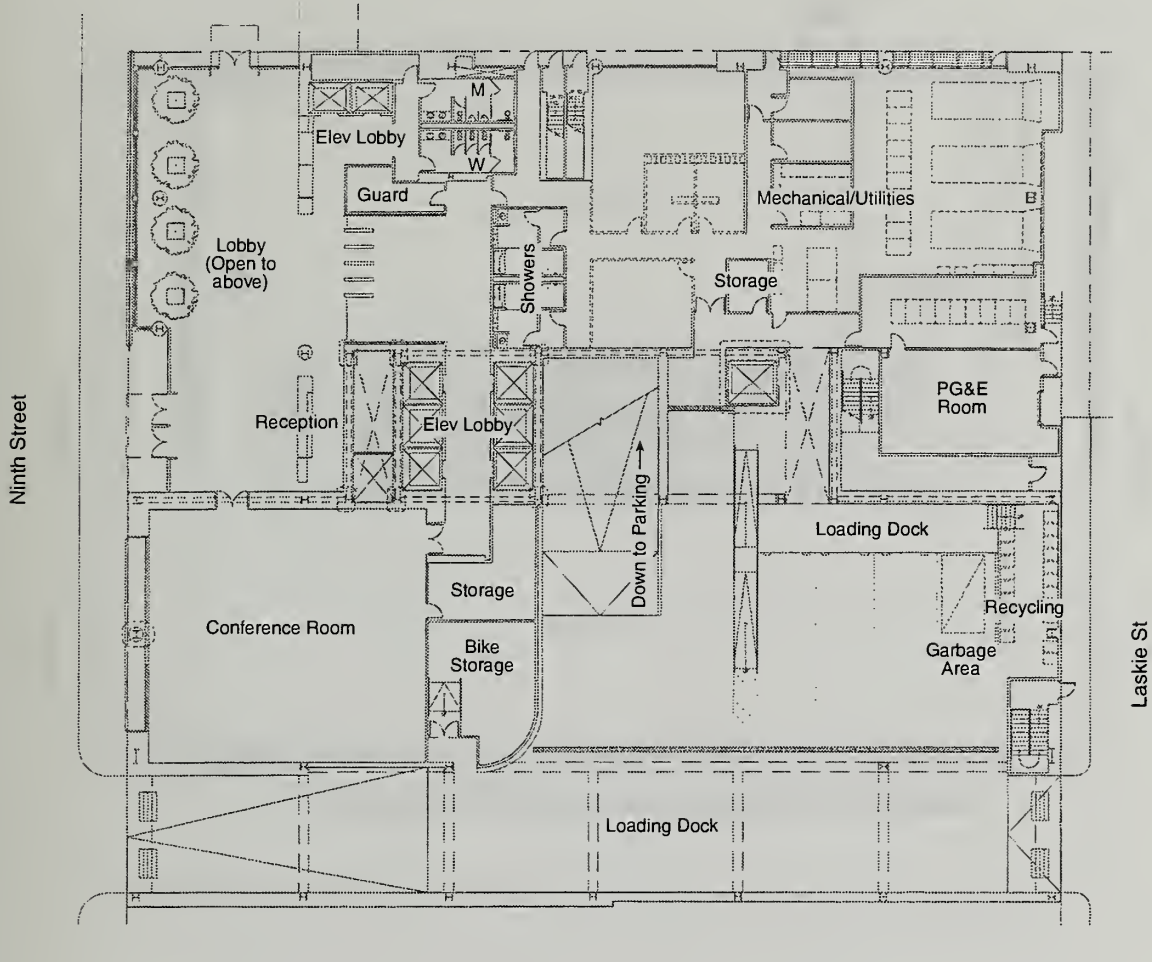
Source: During Associates

REGIONAL LOCATION FIGURE 1



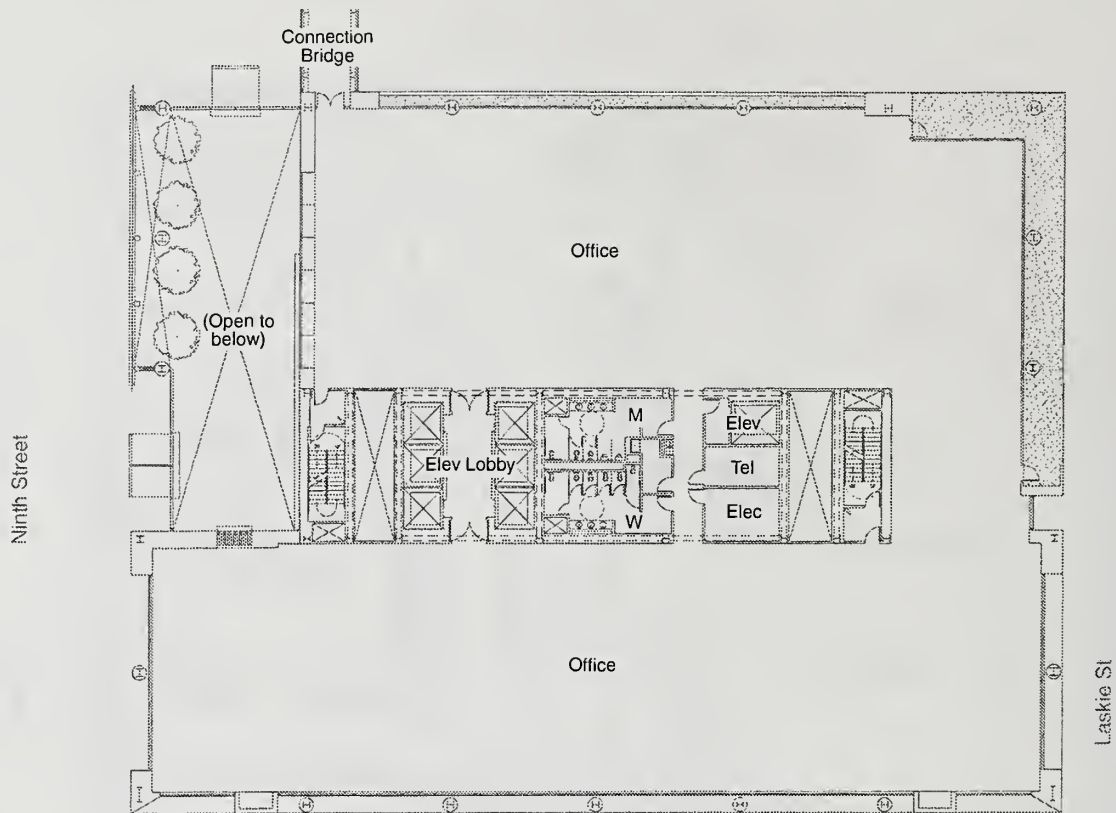
Source: Hellmuth, Obata & Kassabaum, Inc.

SITE PLAN **FIGURE 2**



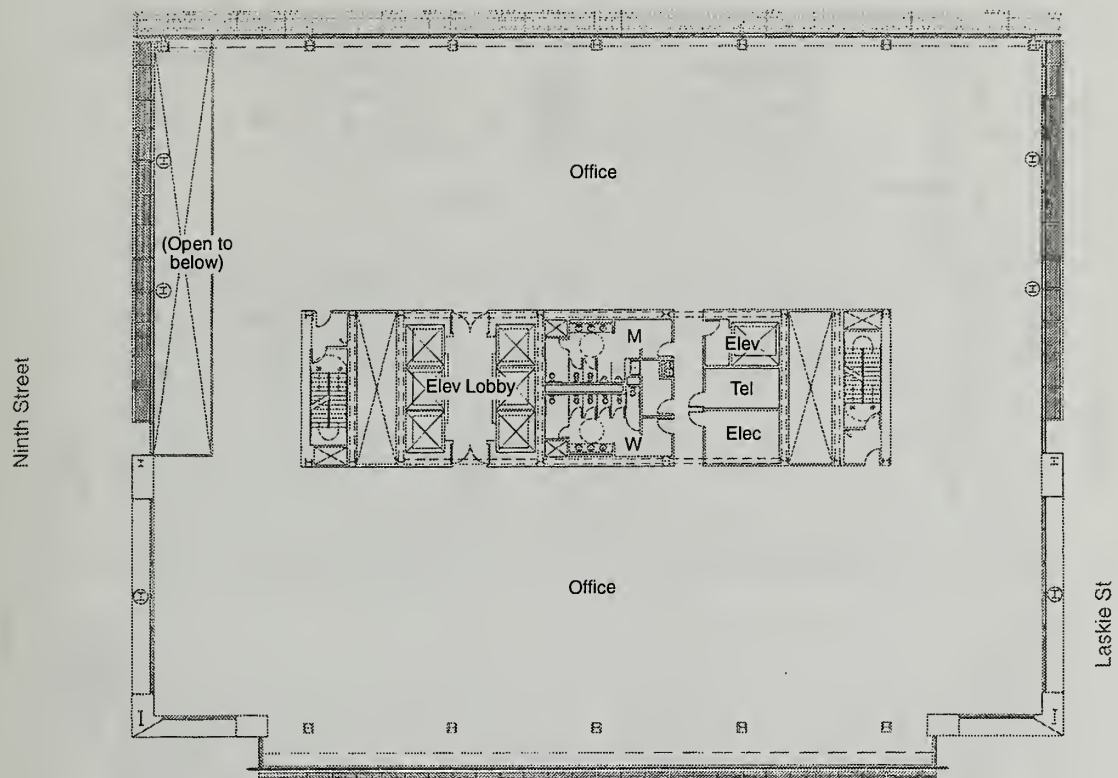
Source: Hellmuth, Obata & Kassabaum, Inc.

GROUND FLOOR PLAN FIGURE 3



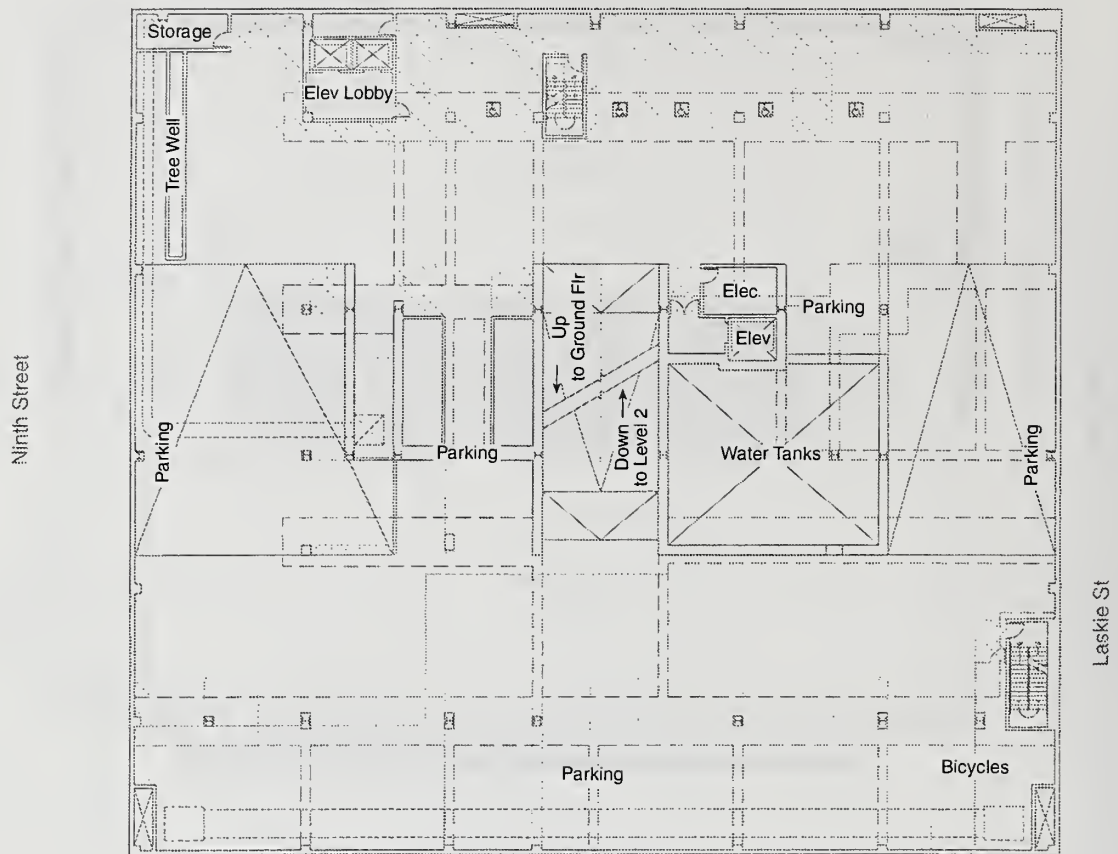
Source: Hellmuth, Obata & Kassabaum, Inc.

SECOND FLOOR PLAN FIGURE 4



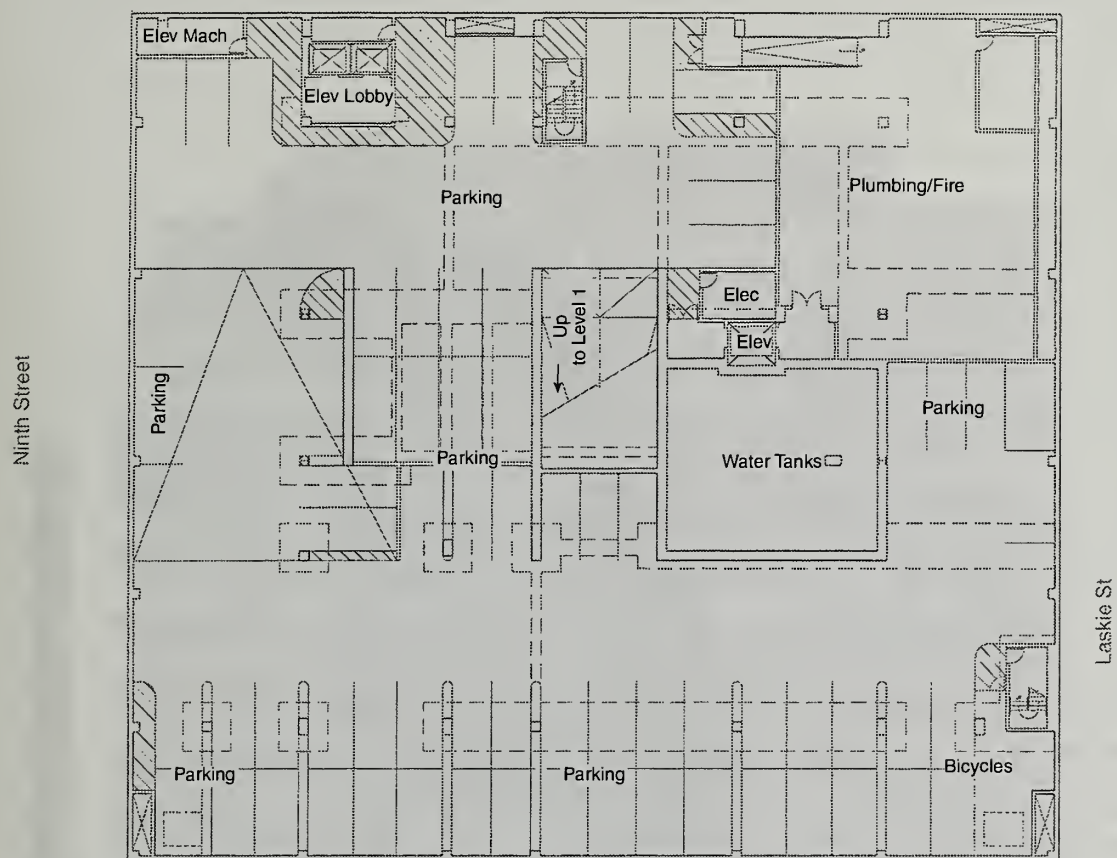
Source: Hellmuth, Obata & Kassabaum, Inc.

TYPICAL UPPER FLOOR PLAN FIGURE 5



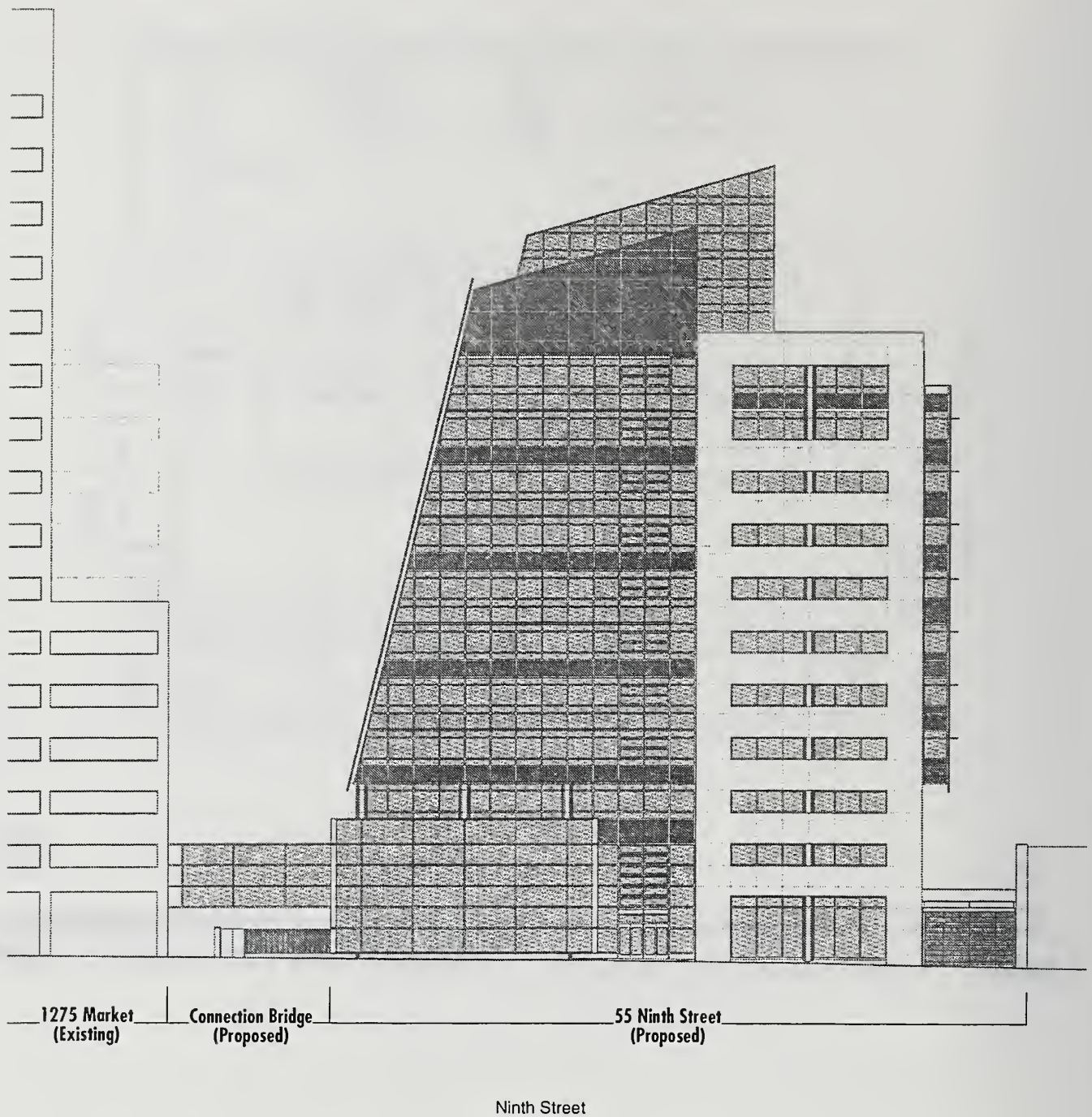
Source: Hellmuth, Obata & Kassabaum, Inc.

BASEMENT FLOOR PLAN—LEVEL 1 **FIGURE 6**



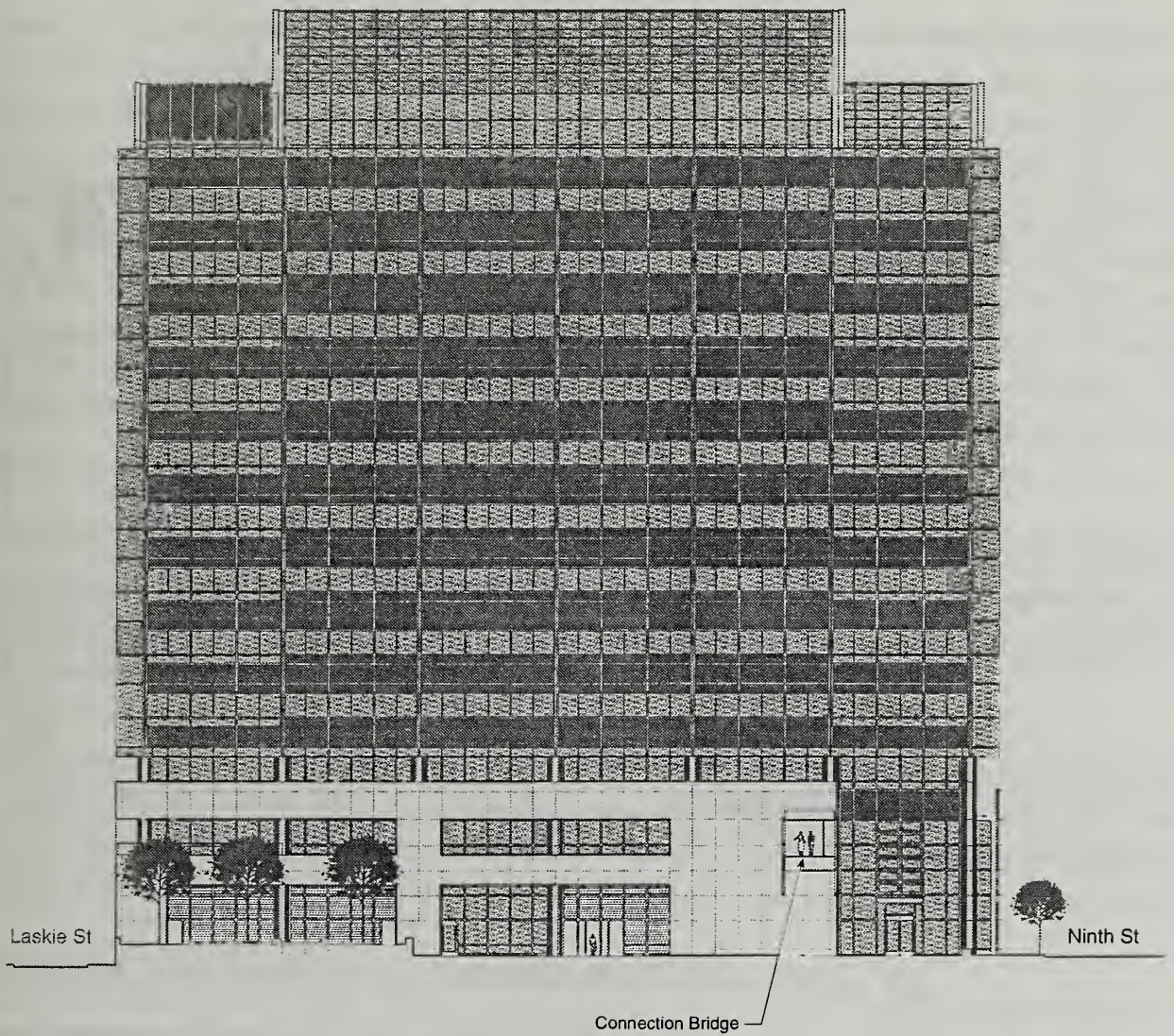
Source: Hellmuth, Obata & Kassabaum, Inc.

BASEMENT FLOOR PLAN—LEVEL 2 **FIGURE 7**



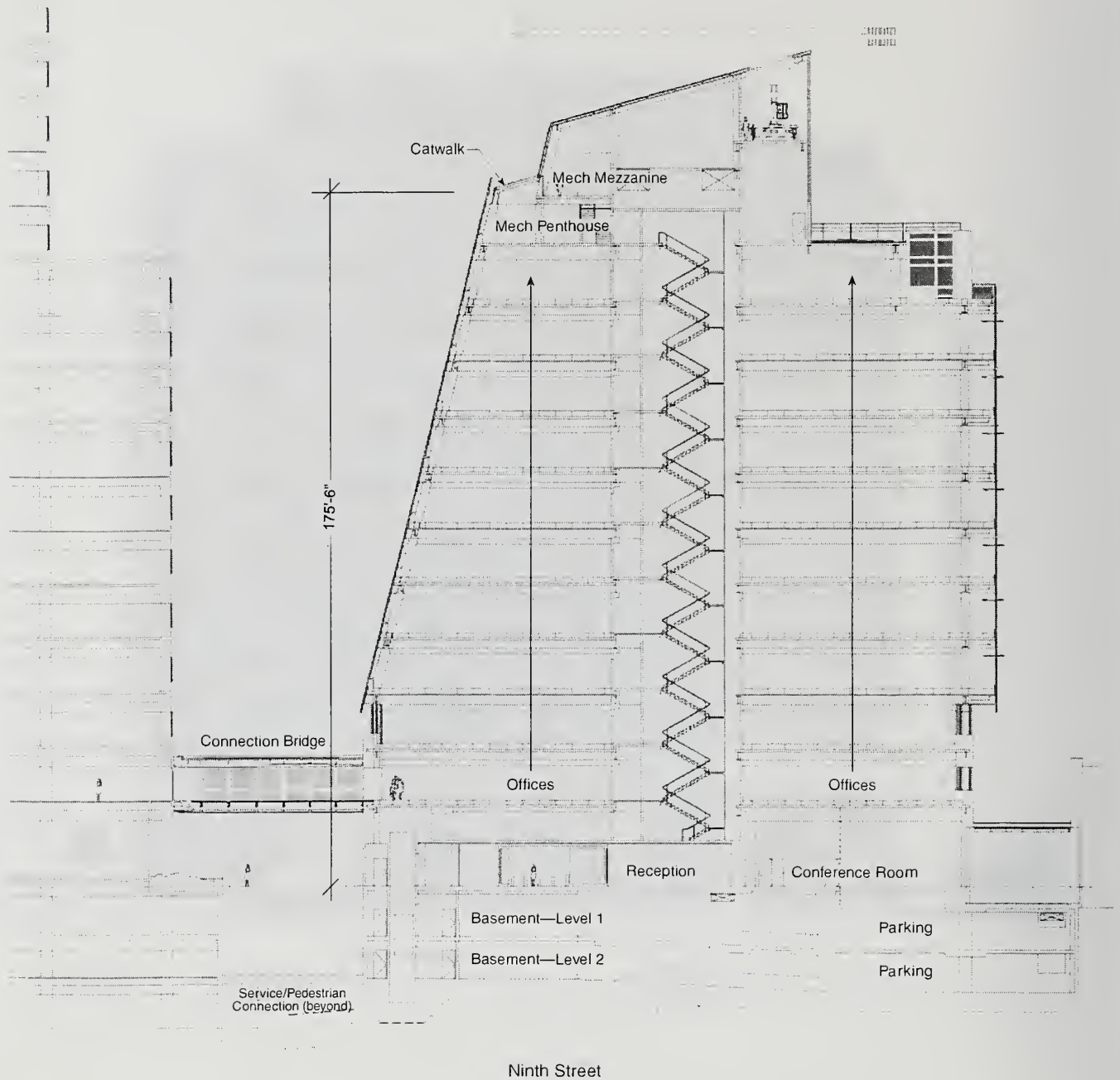
Source: Hellmuth, Obata & Kassabaum, Inc.

WEST ELEVATION (VIEW FROM NINTH STREET) FIGURE 8



Source: Hellmuth, Obata & Kassabaum, Inc.

NORTH ELEVATION (VIEW FROM 1275 MARKET) FIGURE 9



Source: Hellmuth, Obata & Kassabaum, Inc.

NORTH-SOUTH SECTION FIGURE 10

Project construction would take about 92 weeks (approximately 21.5 months). The project construction cost is estimated at \$75 million. The project sponsor is the California State Compensation Insurance Fund, and the project architect is Hellmuth, Obata + Kassabaum, Inc.

B. PROJECT SETTING

The project site is in the Mid-Market area, just south of the Civic Center. The portion of Market Street near the site is occupied by low-, mid-, and high-rise buildings with uses including residential, hotel, retail, commercial, restaurant, and government offices. These buildings were constructed at various times during the twentieth century. Most buildings are one to five stories in height; taller buildings include the eight-story Ramada Hotel on the southeast side of Market Street to the northeast of the SCIF headquarters, the historic 11-story San Francisco Merchandise Mart building on the southeast side of Market Street, between Ninth and Tenth Streets (facing the project site from the opposite side of Ninth Street), the 30-story residential/commercial/office Fox Plaza tower located in the triangular block bounded by Polk, Hayes, and Market Streets west of the project site, and the existing 17-story SCIF headquarters at 1275 Market Street on the corner of Ninth Street (northwest of the project site). The two-story San Francisco Religious Society of Friends building on Ninth Street is adjacent to the project site to the southeast.

To the west, north, and northeast of the project site is the Civic Center, with buildings of various ages occupied by office, commercial, residential, restaurant, parking, public, and cultural facilities. Building heights vary from one to 30 stories, including several high-rise buildings of 20 to 30 stories in height, a number of older low-rise buildings of one to four stories, and several intermediate-sized buildings of six to 17 stories.

Ninth Street between Market and Mission Streets, which includes the project site, has buildings ranging in height from one to eleven stories constructed at various times during the twentieth century, and occupied by retail, hotel, restaurant, bar, office, institutional, and parking uses. Further to the south and southeast, buildings on Ninth Street range from one to four stories in height, and are occupied by a variety of retail, commercial, and residential uses.

II. SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS

A. EFFECTS FOUND TO BE POTENTIALLY SIGNIFICANT

The proposed project is examined in this Initial Study to identify potential effects on the environment. On the basis of this Initial Study, project-specific effects that relate to visual quality, transportation, wind, and shadows have been determined to be potentially significant, and will be analyzed in an Environmental Impact Report (EIR). In addition, the EIR will provide additional discussion of land use for informational purposes, although the impacts are determined in this Initial Study to be less than significant.

B. EFFECTS FOUND NOT TO BE SIGNIFICANT

The following potential environmental effects were determined either to be less than significant or to be reduced to a less than significant level through mitigation measures included in the Initial Study and project. These items are discussed in Section III below, and require no further environmental analysis in the EIR: Land Use, Glare, Population, Noise, Air Quality, Utilities/Public Services, Biology, Geology/Topography, Water, Energy/Natural Resources, Hazards, and Cultural Resources.

III. ENVIRONMENTAL EVALUATION CHECKLIST AND DISCUSSION

A. COMPATIBILITY WITH ZONING, PLANS AND POLICIES

N/A

Discussed

1. Discuss any variances, special authorizations, changes proposed to the City Planning Code or Zoning Map, if applicable.
2. Discuss any conflicts with any other adopted environmental plans and goals of the City or Region, if applicable.

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The *San Francisco Planning Code*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the *Code*, or an exception is granted pursuant to provisions of the *Code*. The project would require authorization from the City Planning Commission pursuant to Sections 309 (Permit Review in C-3 Districts) and 321 (Office Development: Annual Limit) of the *Planning Code*, a Height and Bulk reclassification, and an exception to the bulk requirements.

The project site is located in a C-3-G (Downtown General Commercial) district in San Francisco and a 120-X Height and Bulk District. The C-3-G District covers the western portions of downtown and is composed of a variety of uses, including retail, offices, hotels, entertainment, clubs, institutions, and high-density residential. Many of these uses have a citywide or regional function, although the intensity of development is lower than in the downtown core area. As in the case of other downtown districts, no off-street parking is required for individual commercial buildings, but in portions of this district, automobile parking is a major land use, serving this district and the adjacent office and retail core areas. In the vicinity of Market Street, the configuration of this district reflects easy accessibility by rapid transit.

The project site is located in the San Francisco Redevelopment Agency's (SFRA) Mid-Market Redevelopment Project Area for the proposed Mid-Market Redevelopment Plan and Mid-Market Redevelopment Special Use District.¹ The Mid-Market Redevelopment Project Area is located in downtown San Francisco, generally from Fifth Street to Tenth Street along the Market and Mission Streets corridor. The project site was identified as a "Potential

¹ San Francisco Redevelopment Agency and City and County of San Francisco Planning Department, *Mid-Market Redevelopment Plan Draft Environmental Impact Report*, Case No. 2002.0805E, published September 28, 2002.

Development Opportunity Site” in the SFRA’s proposed Mid-Market Redevelopment Plan. The Mid-Market Plan would provide for mixed-use development on most opportunity sites. Implementation of the Mid-Market Plan would intensify activities and residential and employee population in the project area and would not introduce any new land uses to the area.

Section 309 of the *San Francisco Planning Code*, Permit Review in C-3 Districts, governs the review of project authorization and building and site permit applications in C-3 Districts. Section 309 also permits the imposition of certain conditions in regard to such matters as a project's siting and design, view, parking, traffic and transit effects, energy consumption, pedestrian environment, and other matters. Section 309 requires that the Zoning Administrator determine that the project complies with *Planning Code* Section 138 (Open Space), Section 139 (Downtown Park Fund), Section 146 (Shadows on Streets), Section 147 (Shadows on Publicly Accessible Open Spaces), Section 149 (Public Art), Section 102.8(b)(16) (Replacement of Short-term Parking), Section 313 (Office Affordable Housing Production Program), and Section 314 (Child Care). As an office project, the project would also be subject to *Planning Code* Section 321 - Office Development: Annual Limit.

The proposed project would require amendments to the Height and Bulk designations of the site, pursuant to Section 302 of the *Planning Code*. The proposed change in the Height and Bulk District is from 120-X to 180-S. The 180-S Height and Bulk District permits buildings up to a height of 180 feet plus mechanical penthouses. (The existing 120-X Height and Bulk District permits buildings up to a height of 120 feet.) The proposed project would also require an amendment to zoning map 1H of the Planning Code.

In the 180-S Height and Bulk District, there are no length or diagonal dimension limitations applicable to the base (the lowest portion of the building extending vertically to a streetwall height up to 1.25 times the width of the widest abutting street or 50 feet, whichever is more). The building base shall be delineated from the lower and upper tower and related to abutting buildings by a setback, cornice line or equivalent projection or other appropriate means. Above the base, buildings up to 160 feet in height may have a maximum length of 160 feet, a maximum floor size of 20,000 square feet, and a maximum diagonal dimension of 190 feet. Upper tower bulk controls, applying to portions of buildings taller than 160 feet, are: a maximum length of 130 feet; a maximum average floor size of 12,000 square feet; a maximum floor size for any floor of 17,000 square feet; and a maximum average diagonal measure of 160 feet. The proposed project would require an exception to these bulk units.

The proposed project would require approval from the Department of Public Works for a lot merge to create one parcel from the two existing lots (63 and 64) of Assessor's Block 3701, containing the project site and the existing SCIF building at 1275 Market Street, respectively.

The project would also require an amendment to map 5 of the Downtown Area Plan of the San Francisco *General Plan* corresponding to the changes in height and bulk discussed above. The City's *General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies which relate to physical environmental issues. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy, although, as mentioned above, the proposed project is not consistent with the height

and bulk provisions of the *General Plan*, and would require amendments to the *General Plan*. In general, potential conflicts with the *General Plan* are considered by decision makers independently of the environmental review process, as part of the decision whether to approve or disapprove a proposed project. Conflicts either identified in this environmental document or not would be considered in that context, and would not alter the physical environmental effects of the proposed project.

Environmental plans and policies are those, like the Bay Area *Air Quality Plan*, which directly address physical environmental issues and/or contain targets or standards which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

In November 1986, the voters of San Francisco approved *Proposition M, the Accountable Planning Initiative*, which added Section 101.1 to the *San Francisco Planning Code* to establish eight Priority Policies. These policies are: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character; preservation and enhancement of affordable housing; discouragement of commuter automobiles; protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; maximization of earthquake preparedness; landmark and historic building preservation; and protection of open space. Prior to issuing a permit for any project which requires an Initial Study under CEQA; prior to issuing a permit for any demolition, conversion, or change of use; and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. The case report and approval motions for the project will contain the analysis determining whether the proposed project is consistent with the Priority Policies.

The Planning Commission must certify the EIR as a complete and accurate environmental document for the project prior to taking any approval actions. As described above, the project would require authorization by the City Planning Commission pursuant to Sections 309 and 321 of the *Planning Code* and amendments to the Height and Bulk designations of the site pursuant to Section 302 along with corresponding amendments to the San Francisco *General Plan*; an exception to the bulk requirements; approval from the Department of Public Works for a lot merge; an amendment to zoning map 1H of the *Planning Code*; and a building permit from the Department of Building Inspection. Approvals necessary for the project and the relationship of the project to *Planning Code* requirements will be described in the EIR.

B. ENVIRONMENTAL EFFECTS

All items except Visual Quality, Transportation/Circulation, Wind and Shadows on the Initial Study Environmental Evaluation Checklist have been checked "No," indicating that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect. For items where the conclusion is "To be Determined," the analysis will be included in the EIR. Several of the Checklist items have been checked "Discussed," indicating that the Initial Study text includes discussion about that particular issue. For all of the items checked "No" without a discussion, the conclusions regarding potential significant adverse environmental effects

are based on field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department such as the Department's *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each Checklist item, staff considered both the individual and cumulative impacts of the proposed project.

1. <u>Land Use</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Disrupt or divide the physical arrangement of an established community?	☐	☒	☒
b. Have any substantial impact upon the existing character of the vicinity?	☐	☒	☒

The site of the proposed building is currently occupied by a surface parking lot. The project site (Assessor's Block 3701, Lot 63) is located in the Mid-Market neighborhood, on the northeast side of Ninth Street between Market and Mission Streets, in the block bounded by Market, Ninth, Mission, and Eighth Streets. Laskie Street, located to the northeast of the project site, is a dead-end alleyway that connects to Mission Street to the southeast. The site of the proposed building is currently occupied by a surface parking lot with approximately 173 parking spaces. The existing 325,000 square foot, 17-story State Compensation Insurance Fund occupies the adjacent lot (Lot 64) to the northwest of the project site. The project vicinity has a variety of uses including residential, hotel, retail, commercial, restaurant, bar, office, institutional, and public and cultural facilities. These nearby low-, mid-, and high-rise buildings vary from one to 30 stories in height and were constructed at various times during the twentieth century. To the north and west of the project site is the Civic Center complex of government and public buildings, and a variety of retail, commercial, and residential uses occupying low- to mid-rise buildings to the south and east.

The project would convert an existing surface parking use to an 11-story office building with two levels of underground parking and ground floor open space. The introduction of office uses to the project site would continue a wider trend of more intensive development in the Mid-Market area.

The development of approximately 268,000 square feet of office space in the area would not be a significant effect of the proposed project because it would be in an area that is intensively developed and that already supports substantial amounts of office, hotel, residential, retail, commercial, and cultural development in surrounding blocks. In addition, the area already includes high-rise buildings such as the existing 17-story SCIF headquarters adjacent to the project site at 1275 Market Street, the eight-story Ramada Hotel on the southeast side of Market Street to the northeast of the SCIF headquarters, the 11-story San Francisco Merchandise Mart on Ninth Street across from the project site, and the 30-story residential/commercial/office Fox Plaza tower west of the project site on the opposite side of Market Street. As discussed in Project Setting, above, existing development to the south of the proposed project site is largely low-rise, ranging from one to four stories in height. The proposed office use would be similar in character to, and shorter than, the tallest buildings in the vicinity, although it would be taller than the mid- and low-rise buildings in the area. The project would be generally compatible with the prevailing urbanized character

of the area. Because the project would be developed within the existing block and street configuration, it could not divide the physical arrangement of an established community.

In conclusion, the proposed project would not result in significant adverse land use impacts. However, the EIR will discuss land use for context and informational purposes.

Yes No Discussed

2. Visual Quality - Could the project:

- | | |
|---|--|
| a. Have a substantial, demonstrable negative aesthetic effect? | <u>To be Determined</u> |
| b. Substantially degrade or obstruct any scenic view or vista now observed from public areas? | <u>To be Determined</u> |
| c. Generate obtrusive light or glare substantially impacting other properties? | ☐ ☒ ☒ |

Aesthetic effect

Aesthetics and urban design are subjective fields, and individuals may hold differing opinions about the aesthetic design of any proposed project. Although the project design is intended to complement immediately surrounding buildings in terms of design and materials, and, at 11 stories above ground, would be lower than the tallest neighboring buildings, others may feel differently upon studying the proposal.

The design of the proposed project would comply with Planning Commission Resolution No. 9212, which prohibits the use of mirrored or reflective glass. The proposed project would not contain mirrored glass, but would be visible from some viewpoints, especially those to the south, because of its height.

Due to the size of the proposed project and the potential visibility of the proposed new construction, the EIR will include visual simulations and a more detailed discussion of aesthetic effects.

Views

The topography of the area surrounding the site is flat, and existing development limits views from streets and sidewalks, especially to the north and west of the site. Views currently available to the public in the vicinity of the project site are available from Civic Center Plaza and United Nations Plaza, one block north and one block northeast of the project site, respectively, but views of the proposed building from almost all of United Nations Plaza and Civic Center Plazas would be blocked by existing buildings including the SCIF headquarters and Ramada Hotel. Private buildings in the area may have views of hills to the west, the downtown skyline to the northeast, or beyond. Views from public streets or private properties may be altered by the proposed construction, although this effect would be limited by the fact that the neighborhood is already densely developed. Due to the height and configuration of the proposed new construction, the EIR will include a more detailed discussion of effects on views.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
3. <u>Population</u> - Could the project:			
a. Induce substantial growth or concentration of population?	☐	☒	☒
b. Displace a large number of people (involving either housing or employment)?	☐	☒	☒
c. Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	☐	☒	☒

The addition of 268,000 square feet of office space would increase the daily population on the project site by approximately 1,200 people, based on a density of one employee per 223 gross square feet of government office space.² While potentially noticeable to the immediately adjacent neighbors, this population increase would be small relative to the existing population of the concentrated residential, hotel, retail, commercial, office, institutional, and cultural uses in the project area, and would not be a significant impact of the proposed project. The physical environmental effects of this increase in population on site are or will be addressed elsewhere, primarily in the air quality section of this Initial Study and the transportation section of the EIR.

The project would accommodate about 1,200 jobs on the site. Some of these would be existing SCIF employees relocated from other locations in downtown San Francisco, where SCIF leases approximately 100,000 square feet, and plans to lease an additional 40,000 to 60,000 square feet in the near future. In addition to employees who would be relocated from these other locations when the proposed project is completed, the SCIF projects a total of 444 new positions in 2002, and another 570 positions over the next five years. Many of the 1,200 relocated and new SCIF employees accommodated at the project site would already be living in the City. Others would come from outside San Francisco, and may seek housing within the City boundaries. Relocated and new employees who continue to live in outlying areas and commute into the City would contribute to potential transportation impacts, which will be addressed in the EIR.

The project would displace one or two existing employees of the existing surface parking lot. In the large and dynamic economy of the San Francisco area, this would not be considered a significant impact.

As a building owned by an agency of the State of California that would be used to carry out its governmental purpose, the proposed project would be exempt from contributing funds to the Office of Affordable Housing Production Program (*San Francisco Planning Code* Section 313(b)(3)). However, the proposed project would not displace any residents or reduce the housing supply.

In conclusion, population effects would be less than significant and will not be discussed in the EIR.

² Estimate by State Compensation Insurance Board. Jim True, Real Property Manager, telephone conversation, February 14, 2002.

Yes No Discussed

4. **Transportation/Circulation** - Could the project:

- | | |
|--|-------------------------|
| a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system? | <u>To be Determined</u> |
| b. Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards? | <u>To be Determined</u> |
| c. Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity? | <u>To be Determined</u> |
| d. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities? | <u>To be Determined</u> |

The proposed project would include approximately 268,000 square feet of office space, approximately 134 below grade parking spaces, and four loading spaces. The increase in employees on the project site would result in increased demands on the local transportation system, including increased traffic, transit demand, and parking demand. A Transportation Study will be conducted by a transportation consultant under the supervision of the Planning Department, and discussed in the EIR. The study will address the impacts of the proposed project on traffic and vehicular circulation, transit, pedestrian circulation, bicycling, parking, freight loading during project construction and occupancy, and cumulative traffic impacts.

Yes No Discussed

5. **Noise** - Could the project:

- | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|
| a. Increase substantially the ambient noise levels for adjoining areas? | ☐ | ☒ | ☒ |
| b. Violate Title 24 Noise Insulation Standards, if applicable? | ☐ | ☒ | ☒ |
| c. Be substantially impacted by existing noise levels? | ☐ | ☒ | ☐ |

Project Operation

The noise generated by occupancy of the proposed office building would not be considered a significant impact of the project. The main source of operational noise would be vehicles. Delivery vehicles and automobiles accessing the project would generate noise on Ninth Street and the entrance and loading bays at the southern portion of the site, but, as Ninth Street is heavily traveled and the project site is currently used as a parking lot, the increase in noise would not be significant. Noise generated by office uses is common and generally accepted in urban areas, particularly in mixed-use areas such as office/hotel/residential/commercial/cultural/institutional uses in the project vicinity. In addition, based on published scientific acoustic studies, the traffic volumes in the project area would need approximately to double to produce an increase in ambient noise levels noticeable to most people in the area. As the proposed project's uses would not cause doubling of the traffic volumes in the project area, the proposed project would not cause a noticeable nor significant increase in the ambient noise levels in the area.

Hence, operational noise requires no further analysis and will not be discussed in the EIR.

Project Construction

Construction of the proposed project would occur over a period of about 29 months. The project would have a mat foundation and piles would not be necessary. The proposed construction would not generate pile driving noise, but could generate other construction noise and possibly vibration that may be considered an annoyance by occupants of nearby properties. The noise levels at receptors near the project site would depend on their distance from the noise source and on the presence or absence of noise barriers. The noise would be most noticeable along the frontage of the construction area and decrease with distance. Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that project construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 decibels (measured as dBA; a unit of measure for sound - "A" denotes use of the A-weighted scale, which simulates the response to the human ear to various frequencies of sound) at a distance of 100 feet from the source; i.e., the equipment generating the noise; 2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the property line of the site by five dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m., unless the Director of the Department of Public Works authorizes a special permit for conducting the work during that period.

Project construction noise would be temporary and intermittent, would be regulated by the San Francisco Noise Ordinance, and would occur in the context of relatively high urban noise levels existing in the immediate area. Therefore, construction noise would not be considered significant, requires no further analysis, and will not be addressed in the EIR.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
6. <u>Air Quality/Climate</u> - Could the project:			
a. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☒
b. Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☒
c. Permeate its vicinity with objectionable odors?	☐	☒	☐
d. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?			<u>To be Determined</u>

Air Quality

The Bay Area has both a federal and state air quality plan. Both plans propose the imposition of controls on stationary sources (factories, power plants, industrial sources, etc.) and Transportation Control Measures designed to reduce emissions from automobiles.

The Bay Area Air Quality Management District (BAAQMD) operates a regional monitoring network that measures the ambient concentrations of six air pollutants (the “criteria pollutants”): ozone (O_3), carbon monoxide (CO), fine particulate matter (PM_{10}), lead (Pb), nitrogen dioxide (NO_2) and sulfur dioxide (SO_2). Reactive organic gases (ROG also known as reactive hydrocarbons), nitrogen oxides (NOx including NO_2)³, and PM_{10} are precursors to ozone.

Toxic air contaminants are less pervasive in the urban atmosphere than criteria air pollutants, but are linked to short-term (acute) or long-term (chronic and/or carcinogenic) adverse human health effects. There are hundreds of different types of toxic air contaminants, with varying degrees of toxicity. Sources of toxic air contaminants include industrial processes, commercial operations (e.g., gasoline stations and dry cleaners), and motor vehicle exhaust. Unlike regulations concerning criteria air pollutants, there are no regulatory standards for toxic air contaminants based on the mass of emissions. Instead, emissions of toxic air contaminants are evaluated based on the degree of health risk that could result from exposure to these pollutants.

San Francisco, like all other sub-regions in the Bay Area, contributes to regional air quality problems, primarily ozone in other parts of the Bay Area. Ozone is not emitted directly from air pollutant sources, but is produced in the atmosphere over time and distance through a complex series of photochemical reactions involving hydrocarbons (HC) and nitrogen oxides (NO_x), which are carried downwind as the photochemical reactions occur. Ozone standards are violated most often in the Santa Clara, Livermore and Diablo Valleys, because local topography and meteorological conditions favor the build-up of ozone precursors there.

CO is a non-reactive air pollutant, the major source of which is motor vehicles. CO concentrations are generally highest during periods of peak traffic congestion. Particulate levels are relatively low near the coast and increase with distance from the coast, peaking in dry, sheltered valleys. The primary sources of particulates in San Francisco are construction and demolition, combustion of fuels for heating, and vehicle travel over paved roads.⁴

The Federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standards are not met as “non-attainment areas.” Because of the differences between the national and state standards, the designation of nonattainment areas is different under the federal and state legislation. On the basis of the monitoring data, the Bay Area had been designated a “non-attainment” area with respect to the Federal O_3 and CO standards. The Bay Area was subsequently re-classified as a “maintenance” area for CO. The air basin is an attainment area or is unclassified for all other national ambient air quality standards.

³ Nitrogen Oxides are a class of pollutants comprised of N and O. Of the several nitrogen oxides, only one (NO_2) is considered a primary pollutant with a specific AQ standard. All nitrogen oxides are contributors to ozone formation.

⁴ Bay Area Air Quality Management District, *BAAQMD CEQA Guidelines, Assessing the Air Quality Impacts of Projects and Plans*, December 1999.

Under the California Clean Air Act, the entire San Francisco Bay Air Basin is a nonattainment area for ozone and PM₁₀. The air basin is either in attainment or unclassified for other pollutants under state standards. In addition, San Francisco has experienced violations of the state PM₁₀ standards.

A four-year (1998 to 2001) summary of data collected at the BAAQMD monitoring station at 10 Arkansas Street (about one mile southeast of the project site) indicated that there were no violations of either the one-hour or eight-hour CO standards, or the standards for ozone, nitrogen dioxide, sulfur dioxide or lead. The state PM₁₀ standard was exceeded on 1 to 13 days each year during the four-year period of 1998-2001.

In 2000, emissions from motor vehicles were the source of 70 percent of the CO, 41 percent of the HCs, 72 percent of the PM₁₀, 89 percent of the sulfur oxides and 53 percent of the NO_x emitted in San Francisco.⁵

Air quality impacts from land development projects result from project construction and operation. Construction emissions, primarily dust generated by earthmoving activities and criteria air pollutants emitted by construction vehicles, would have a short-term effect on air quality. Operational emissions, generated by project-related traffic and by combustion of natural gas for building space and water heating, would continue to affect air quality throughout the lifetime of the project.

Construction Emissions

Construction activities such as demolition, excavation and grading operations, construction vehicle traffic and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would temporarily affect local air quality. Construction activities would not involve burning of any materials and would not create objectionable odors. Grading and other construction activities would temporarily affect local air quality for a period of months, causing a temporary increase in particulate dust and other pollutants. Dust emission during excavation would increase particulate concentrations near the site. Under high winds, exceeding 12 miles per hour, localized effects including human discomfort might occur downwind from blowing dust. Construction dust is composed largely of large particles that settle out of the atmosphere more rapidly with increasing distance from the source. More of a nuisance than a hazard for most people, this dust could affect persons with respiratory diseases, as well as sensitive electronic or communications equipment. Consistent with BAAQMD CEQA Guidelines, construction-period air emissions are considered less than significant if effective control measures are implemented. The project sponsor has agreed to implement Mitigation Measure Number 1, page 37, to reduce the potential of a significant environmental impact.

Operations Emissions

Project operation would affect local air quality by increasing the number of vehicles on project-impacted roads and at the project site, and by introducing stationary emissions to the project site. Transportation sources, such as project-generated vehicles, would account for over 90 percent of operational project-related emissions. Stationary source emissions, generated by combustion of natural gas for building space and water heating, would be less-than-

⁵ California Air Resources Board, *2001 Estimate Annual Average Emissions, San Francisco County*, 2002.

significant, due to the low amount of emission and the relative minimal amount of pollutants in natural gas combustion.

Pollutants can be classified as being local or regional pollutants. Local pollutants are relatively inert in the atmosphere, and concentrations are primarily determined by distance from the source. Regional pollutants undergo transformation in the atmosphere or may be formed in the atmosphere, so that concentrations are dependant on the total regional emissions and weather patterns rather than the actual location of the emissions. Carbon monoxide is a localized pollutant whose major source is automobiles, so concentrations of this gas are highest near intersections of major roads. Ozone is a regional pollutant that is produce photochemically, so concentrations are greatest at the furthest down-wind reaches of the region (Livermore Valley and southern Santa Clara Valley). PM₁₀ is both a local and regional pollutant, having both a relatively inert component and a photochemically-produced component.

Local Impacts

Of the criteria pollutants, the only one that has a localized effect is carbon monoxide. Project related traffic may result in areas with high concentrations of carbon monoxide around stagnation points such as major intersections and heavily traveled and congested highways. The BAAQMD has identified three criteria, any one of which would require the estimation of local carbon monoxide concentrations:⁶

- Project related vehicle CO emissions would exceed 550 pounds per day
- Project traffic would impact intersections or roadway links operating at Level of Service (LOS) D, E or F or would cause LOS to decline to D, E or F
- Project traffic would increase traffic volumes on nearby roadways by 10 percent or more.

A computer program, the URBEMIS-2001, developed by the California Air Resources Board, was applied to project daily trip generation under winter conditions (the time of maximum CO concentrations) to estimate total project-related carbon monoxide emissions. The resulting calculated emission of 188.1 pounds/day of carbon monoxide from project-generated vehicles would not exceed the BAAQMD criterion of 550 pounds/day. Project traffic would, however, contribute to the traffic delays at two intersections currently operating at LOS D. Therefore, since a BAAQMD criterion for modeling was met, the CO concentrations at the two qualifying intersections were estimated using a screening form of the computer model developed by the California Department of Transportation, CALINE-4.

CO concentrations are localized and strongly dependent on local traffic volumes and operating conditions. Table 1 below shows predicted one-hour and eight-hour averaged CO concentrations at the two study intersections that meet the BAAQMD criteria for modeling. The data is for worst cast intersections, at the edge of the curb immediately adjacent to traffic. Concentrations at other locations further from the roadway would be less than those shown in Table 1. For the study intersections, the estimated CO concentrations with project-generated traffic would be below the applicable state/federal standards (20 parts per million [ppm] for the 1-hour standard and 9 ppm for the 8-hour standard), and would be a less-than-significant impact.

⁶ IBID

Table 1 Existing and Projected Curbside Carbon Monoxide Concentrations at Selected Intersections*						
Intersection	Existing (2001)		Existing + Project (2001)		Cum. + Project (2015)	
	1-Hour	8-Hour	1-Hour	8-Hour	1-Hour	8-Hour
Van Ness/Hayes	9.8	6.6	9.8	6.6	7.1	4.8
Van Ness/Market	9.2	6.2	9.2	6.2	6.8	4.6
Most Stringent Standard	20.0	9.0	20.0	9.0	20.0	9.0

- * Calculations were made using a screening procedure contained in the *BAAQMD CEQA Guidelines*. Background concentrations of 6.3 ppm (1-hour) and 4.2 ppm (8-hour) were calculated using 1992 isopleths of carbon monoxide concentration and rollback factors for the year 2002 developed by the BAAQMD. Background concentrations of 5.2 ppm (1-hour) and 3.5 ppm (8-hour) were calculated using 1992 isopleths of carbon monoxide concentration and rollback factors for the year 2020 developed by the BAAQMD. The one-hour state standard is 20 ppm, the one-hour federal standard is 35 ppm, and the eight-hour state and federal standards are 9 ppm. Emission factors were derived from the California Air Resources Board EMFAC7G computer model (Version 1.0c).

Source: Don Ballanti, Certified Consulting Meteorologist.

Concentrations in 2020 would be below current levels, despite increased traffic, due to gradually declining emission rates for vehicles and background concentrations as older, more polluting vehicles are retired and replaced with lower-emitting vehicles.

Regional Impacts

Project traffic would also have an effect on air quality outside the project vicinity. Trips to and from the project would contribute to air pollutant emissions over the entire Bay Area. As noted above, the Bay Area is currently designated nonattainment for ozone and PM₁₀. The project associated emissions for two of the major ozone precursors (ROG and NO_x) and PM₁₀ were evaluated using the URBEMIS-2001 computer program. The daily increases in regional emissions from project generated auto travel are shown in Table 2 below. The proposed project would not exceed the BAAQMD established threshold of significance of 80 pounds per day for emissions of regional pollutants would not be considered to have a significant adverse environmental effect on air quality.

Table 2 Project Regional Emissions in Pounds Per Day*			
	Reactive Hydrocarbons (ROG)	Nitrogen Oxides (NO _x)	Fine Particulate Matter (PM ₁₀)
Project Daily Emission	18.5	22.3	7.2
BAAQMD Threshold	80.0	80.0	80.0

- * Estimates of regional emissions generated by project traffic were made using a program called URBEMIS 2001. Inputs to the URBEMIS 2001 program include trip generation rates, vehicle mix, average trip length by trip type and average speed. Trip generation rates for project land uses were provided by the project

transportation consultant. Average trip lengths and vehicle mixes for the Bay Area were used. Average speed for all types of trips was assumed to be 25 MPH, which represents a maximum level of emissions. The analysis assumed a year 2005 vehicle mix (estimate first year of project operation). The URBEMIS 2001 runs assumed summertime conditions for ROG, NO_x and PM₁₀ when ozone concentrations are maximum.

Source: Don Ballanti, Certified Consulting Meteorologist.

Shadow

The proposed State Compensation Insurance Fund building would be 11 stories tall, and would increase the amount of shadow on area streets and sidewalks and adjacent properties at certain times of the day and year. Section 295 of the *San Francisco Planning Code* was adopted in response to Proposition K (passed in November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Section 295 restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet unless the Planning Commission finds the impact to be insignificant. The nearest public open spaces are the Civic Center Plaza and United Nations Plaza, one block north and one block northeast of the project site, respectively; and Howard-Langton Mini-Park, approximately one-third mile east of the site. To determine whether this project would conform with Section 295, a shadow fan analysis was prepared by the Planning Department. The results of the shadow analysis will be discussed in the EIR.

Wind

Wind conditions partly determine pedestrian comfort on sidewalks and in other public areas. In downtown areas, tall buildings can redirect wind flows around and down to street level, resulting in increased wind speed and turbulence at street level. The proposed building would be approximately 175 feet high (plus mechanical), with its long axis oriented northeast-southwest, parallel to Market Street. The building's frontage on Ninth Street and its northwest side would be the building faces most exposed to the winds from the west. A Wind Study will be conducted by a meteorological consultant under the supervision of the Planning Department. The study will address the impacts of wind generated by the proposed project, and the results of the study will be discussed in the EIR.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
7. <u>Utilities/Public Services</u> - Could the project:			
a. Breach published national, state or local standards relating to solid waste or litter control?	☐	☒	☐
b. Extend a sewer trunk line with capacity to serve new development?	☐	☒	☐
c. Substantially increase demand for schools, recreation or other public facilities?	☐	☒	☐
d. Require major expansion of power, water, or communications facilities?	☐	☒	☒

The proposed project would incrementally increase demand for and use of public services and utilities on the project site, but not in excess of amounts expected and provided for in the project area. The project would be undertaken in a fully built-out area of downtown San Francisco, where all services and utilities are currently provided. No need for any expansion of public service or utilities is anticipated.

The new building would be designed to incorporate water-conserving measures such as low-flush toilets and urinals, as required by California State Building Code Section 402.0(c). The San Francisco Public Utilities Commission (SFPUC) has passed a resolution⁷ that adopted City’s Urban Water Management Plan (UWMP) 2000 update, which is based on ABAG Year 2000 projections for development in San Francisco through 2020. The SFPUC’s adopted UWMP accounts for all of the projected water demand in San Francisco as a result of foreseeable large developments and therefore the proposed project would not have a significant impact on water supply facilities.

In conclusion, the proposed project would not result in significant adverse impacts on public services and utilities. Therefore, the EIR will not discuss public services and utilities.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
8. <u>Biology</u> - Could the project:			
a. Substantially affect a rare or endangered species of animal or plant, or the habitat of the species?	☐	☒	☒
b. Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	☐	☒	☒
c. Require removal of substantial numbers of mature, scenic trees?	☐	☒	☒

Almost all of the project site is covered with impervious surfaces and it is located within an urban area which has been developed since the late nineteenth century. There are approximately 35 mature trees on the site, located mostly along the perimeter. However, no significant wildlife habitat exists on the site. Development on the site would remove most of these trees, with the exception of approximately 21 smaller trees along the northeast perimeter. This would not affect any significant plant or animal habitats or interfere with the movement of any resident or migratory animal species. The proposed project would include landscaping between the north facade of the project building and the 1275 Market Street building starting at Ninth Street and continuing to the central courtyard between the two buildings. The landscape plan calls for redwood and evergreen shrubs mixed with shade tolerant planting materials. Street trees would be planted every 20 feet along the site’s Ninth and Laskie Street frontages as required by the *Planning Code*. The proposed project would not result in significant adverse impacts on biology, and the EIR will not discuss biology.

⁷ City and County of San Francisco Public Utilities Commission, Resolution No. 02-0084, adopted May 14, 2002.

9. **Geology/Topography** - Could the project:

- | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|
| a. Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction)? | ☐ | ☒ | ☒ |
| b. Change substantially the topography or any unique geologic or physical features of the site? | ☐ | ☒ | ☐ |

The project site is relatively level, with the surface ranging from Elevation 44.5 to 46.0 feet. Based on borings taken in the course of a geotechnical investigation, the project site is underlain by six to 12 feet of loose to medium dense sand and medium stiff clay fill, which may extend deeper locally.⁸ The fill contains various amounts of clay, gravel, and debris, which may be related to the 1906 earthquake. Underlying the fill is medium dense to dense Dune sand that extends to depths ranging from 28 to 33.5 feet below the ground surface. This layer grades into dense to very dense silty and clayey sand, sandy clay, and sand of the Colma foundation, which extends to the maximum explored depth of 101.5 feet. Bedrock (consisting of weathered shale) was encountered at a depth of about 238 feet during the investigation for the adjacent State Compensation Insurance Fund headquarters building at 1275 Market Street. Groundwater depth was estimated to be approximately 30.5 feet below the ground surface (Elevation 15 feet). To allow for seasonal fluctuation (recognizing that the groundwater measurement was made at a dry time of the year), the geotechnical study recommends a design groundwater level of 25.5 feet below the ground surface (Elevation 20 feet).

To accommodate the proposed two basement levels and the building foundation, an excavation approximately 28 feet deep (assuming a foundation thickness of five feet) would be required. This corresponds to an approximate elevation of 17 feet, which would be approximately three feet below design groundwater level and very near the prevailing groundwater level. Because of the presence of groundwater, the site should be dewatered to maintain stability of the bottom of the excavation during construction. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Systems Planning, Environment and Compliance of the S.F. Public Utilities Commission must be notified of projects necessitating dewatering, and may require water analysis before discharge. Should dewatering be necessary, the final soils report would address the potential settlement and subsidence impacts of this dewatering. Based upon this discussion, the report would contain a determination as to whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey is recommended, the Department of Public Works would require that a Special Inspector (as defined in Article 3 of the Building Code) be retained by the project sponsor to perform this monitoring.

⁸ Treadwell & Rollo, *Geotechnical Investigation, State Compensation Insurance Fund, 55 Ninth Street, San Francisco, California*, 8 October 2001. This report is available for public review by appointment in Project File No. 2001.1039E at the Planning Department, 1660 Mission Street, fifth floor, San Francisco.

Groundwater observation wells would be installed to monitor potential settlement and subsidence. If, in the judgment of the Special Inspector, unacceptable movement were to occur during dewatering, groundwater recharge would be used to halt this settlement. The project sponsor would delay construction if necessary. Costs for the survey and any necessary repairs to service lines under the street would be borne by the project sponsor.

The *San Francisco General Plan Community Safety Element* contains maps that show areas in the City subject to geologic hazards. The project site is located in an area subject to groundshaking from earthquakes along the San Andreas and Northern Hayward faults and other faults in the San Francisco Bay Area (see Maps 2 and 3 in the Community Safety Element). The closest active faults are the San Andreas Fault, approximately 11.9 kilometers southwest of the project site, and the San Gregorio North Fault, about 16 kilometers west of the project site. As is the entire San Francisco Bay Area, the proposed project site is subject to groundshaking in the event of an earthquake on these faults, although surface rupture is not likely.

As mentioned above, the project sponsor has provided a geotechnical investigation report prepared by a California-licensed geotechnical engineer that is on file with the Department of City Planning and available for public review as part of the project file. The recommendations contained in the report include but are not limited to:

- Use of a waterproofed mat foundation
- Stripping, overexcavation if needed, and compaction of the subgrade soils
- Design of basement walls to resist lateral pressures of adjacent soil and vehicles
- Use of a temporary dewatering system, designed by a qualified dewatering contractor
- Shoring of the excavation with a soldier pile and lagging system using tiebacks
- Evaluation of required penetration depth of the soldier piles by the shoring designer
- Use of hand-excavated piers to underpin the adjacent two-story building to the southeast
- Use of tiedown anchors if the building weight is insufficient to overcome hydrostatic uplift
- Performance testing of tiedowns
- Monitoring of survey points on the shoring and adjacent streets and structures during construction
- Performance of a crack study of adjacent buildings before and after construction
- Seismic design in accordance with the 1998 San Francisco Building Code

The geotechnical report found the site suitable for development providing that the recommendations included in the report were incorporated into the design and construction of the proposed development. The sponsor has agreed to follow the recommendations of the report in constructing the project (Improvement Measure I).

The project site is located in an area of liquefaction potential (map 4), in a Seismic Hazards Study Zone (SHSZ) designated by the California Division of Mines and Geology. However, the geotechnical report concluded that, due to the density of the sand underlying the site, the risk of liquefaction at the site is considered low.

In any event, the final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, the DBI refers to a variety of information sources to determine existing hazards and assess

requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. The above referenced geotechnical investigation would be available for use by the DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed.

To ensure compliance with all San Francisco Building Code provisions regarding structural safety, when DBI reviews the geotechnical report and building plans for a proposed project, it will determine necessary engineering and design features for the project to reduce potential damage to structures from groundshaking and liquefaction. Therefore, potential damage to structures from geologic hazards on a project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the Building Code. The EIR will not address geology and soils.

The project site is not in an are subject to landslide, tsunami run-up, or reservoir inundation hazards (maps 5,6, and 7 in the Community Safety Element) and would not alter the topography of the site.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
10. <u>Water</u> - Could the project:			
a. Substantially degrade water quality, or contaminate a public water supply?	☐	☒	☒
b. Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	☐	☒	☒
c. Cause substantial flooding, erosion or siltation?	☐	☒	☐

Regional groundwater flow in the area is assumed to be to the east, towards San Francisco Bay. As discussed in Section (9) Geology/Topography, above, groundwater depth was estimated to be approximately 30.5 feet below the ground surface at the site. Groundwater levels are anticipated to vary seasonally by a few feet, and a design groundwater level of 25.5 feet below the ground surface is recommended in the project's geotechnical report.⁹ The proposed 32-foot excavation would be approximately 2.5 feet below design groundwater level and very near the prevailing groundwater level. Thus, dewatering would be required (see Section (9) Geology/Topography, above, for further discussion). As discussed in Section (12) Hazards, Soil and Water Contamination, below, analytical results of two groundwater samples at the site indicate that discharge of water produced from construction dewatering to the combined sanitary sewer system should be acceptable to San Francisco Department of Public Works (SFDPW). The Bureau of System Planning, Environment, and Compliance (SPEAC) of the San Francisco Public Utilities Commission must be notified of projects necessitating dewatering, and may require groundwater analysis before discharge. Potential degradation of groundwater quality as a result of dewatering during project

⁹ Treadwell & Rollo, *Geotechnical Investigation, State Compensation Insurance Fund, 55 Ninth Street, San Francisco, California*, 8 October 2001. This report is available for public review by appointment in Project File No. 2001.1039E at the Planning Department, 1660 Mission Street, fifth floor, San Francisco.

construction would be reduced to a less than significant level through SPEAC requirement for retention of groundwater pumped from the project site in a holding tank, and analysis of the quality of this groundwater before it is discharged to the combined sanitary and storm drain sewer system.

Almost all of the project site is currently covered by impervious surfaces. Site drainage would be redesigned to take into account the below-grade structure, but site runoff would continue to drain to the City's combined storm and sanitary sewer and be treated at the Southeast Water Pollution Control Plant prior to discharge to San Francisco Bay. Wastewater treatment would be provided pursuant to the effluent discharge limitations set by the Plant's National Pollutant Discharge Elimination System (NPDES) Permit. The foundation and portions of the building below grade would be water tight to avoid the need to permanently pump and discharge water. Natural groundwater flow would continue under and around the site. The project, therefore, would not substantially alter existing groundwater quality or flow conditions.

In conclusion, the proposed project would not result in significant adverse impacts on surface water or groundwater quality. Therefore, the EIR will not discuss water.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
11. <u>Energy/Natural Resources</u> - Could the project:			
a. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	☒	☒
b. Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	☐	☒	☐

The Department of Building Inspection requires that the design of new buildings in San Francisco is required to conform to energy conservation standards specified by Title 24 of the *California Code of Regulations*. Documentation showing compliance with these standards is submitted with the application for the building permit. Title 24 is enforced by the Department of Building Inspection. Therefore, no further analysis of energy is required, and the EIR will not discuss energy.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
12. <u>Hazards</u> - Could the project:			
a. Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	☐	☒	☒
b. Interfere with emergency response plans or emergency evacuation plans?	☐	☒	☐
c. Create a potentially substantial fire hazard?	☐	☒	☒

This section addresses potential hazards on the project site, including Underground Storage Tanks (USTs), contaminants in the soils, and fire hazards.

A Phase I and Limited Phase II Environmental Site Assessment (ESA) was conducted for the proposed project by Treadwell & Rollo in October 2001.¹⁰ The ESA, summarized below, describes the land use history of the project site and area that may have involved handling, storage, or disposal of hazardous materials that could have affected the quality of soils or groundwater, and analyzes soil and water samples taken on the site for the presence of chemically-affected soil or water on the project property.

Underground Storage Tanks

According to available historical information, the site was occupied by a service station and auto service center from at least 1949 until 1977 or earlier, indicating the possible presence of Underground Storage Tanks (USTs). Treadwell & Rollo requested a review of files at the San Francisco Fire Department and Department of Public Health, Local Oversight Program, but no records of any tank removal were located. A geophysical survey was performed at the entrance to the existing parking lot, where historical records indicate a UST was located. The results indicated two rectangular areas with anomalies, one of which is characteristic of a UST. Thus, it is very likely that a UST is located at the entrance to the existing parking lot. Implementation of Mitigation Measure Number 2(a) by the project sponsor in the Mitigation Measures section of this Initial Study would reduce potential impacts related to the presence of underground storage tanks to a less-than-significant level.

Soil and Water Contamination

The project site is underlain by six to 12 feet of loose to medium dense sand and medium stiff clay fill, which may extend deeper locally. The fill contains various amounts of clay, gravel, and debris. Underlying the fill is medium dense to dense Dune sand that extends to depths ranging from 28 to 33.5 feet below the ground surface. This layer grades into dense to very dense silty and clayey sand, sandy clay, and sand of the Colma foundation, which extends to the maximum explored depth of 101.5 feet. Groundwater depth was estimated to be approximately 30.5 feet below the ground surface at the site and a design groundwater level of 25.5 feet below the ground surface is recommended in the project's geotechnical report.¹¹

A site reconnaissance on 27 August 2001 found no evidence of significant staining, spillage, ponded liquids, and/or uncontained solids.

¹⁰ Treadwell & Rollo, *Phase I and Limited Phase II Environmental Site Assessment*, 55 Ninth Street, San Francisco, California, 23 October 2001. This report is available for public review by appointment in Project File No. 2001.1039E at the Planning Department, 1660 Mission Street, fifth floor, San Francisco.

¹¹ Treadwell & Rollo, *Geotechnical Investigation, State Compensation Insurance Fund*, 55 Ninth Street, San Francisco, California, 8 October 2001. This report is available for public review by appointment in Project File No. 2001.1039E at the Planning Department, 1660 Mission Street, fifth floor, San Francisco.

A search of federal and state hazardous materials databases was performed for the area within a one-eighth- to one-mile radius of the site. The information from the database search was supplemented and verified by conducting informal interviews with personnel of the San Francisco Fire Department and Department of Public Health, Local Oversight Program. The findings are summarized below.

The site itself is not listed in any of the databases reviewed. As discussed in Underground Storage Tanks, above, no records of any tank removal at the site were located, although historical information indicates that the site was occupied by a service station and auto service center from at least 1949 until 1977 or earlier.

Four nearby properties that are up-gradient or cross-gradient of the project site are listed in the databases reviewed. However, these properties' potential to affect environmental conditions at the project site is considered less than significant.

A limited subsurface soil investigation was conducted as part of the Phase I and Limited Phase II ESA to assess the presence of regulated chemical compounds in the fill soil and groundwater beneath the site. Six soil borings were drilled to depths ranging from 11.5 to 30 feet below ground surface at locations throughout the site in August 2001. A total of 18 soil samples, collected at various depths from the six borings, was submitted for laboratory analysis. The samples were analyzed for some or all of the following constituents:

- total petroleum hydrocarbons as gasoline (TPH(g)) and diesel (TPH(d)),
- total recoverable petroleum hydrocarbons (TRPH),
- benzene, toluene, ethylbenzene, and xylenes (BTEX),
- methyl tertiary butyl ether (MTBE),
- semi-volatile organic compounds (SVOCs),
- halogenated volatile organic compounds (HVOCs),
- total lead, and
- leaking underground fuel tank (LUFT) 5 metals (cadmium, chromium, nickel, lead, and zinc).

Soil samples with elevated concentrations of total lead (greater than 50 parts per million) were also analyzed for soluble lead.

Groundwater samples collected from two of the borings were analyzed for:

- total petroleum hydrocarbons as gasoline (TPH(g)) and diesel (TPH(d)),
- total recoverable petroleum hydrocarbons (TRPH),
- benzene, toluene, ethylbenzene, and xylenes (BTEX),
- methyl tertiary butyl ether (MTBE),
- semi-volatile organic compounds (SVOCs),
- halogenated volatile organic compounds (HVOCs),
- total lead,
- total suspended solids, and
- chemical oxygen demand.

These parameters chosen were based on the discharge requirements of the San Francisco Department of Public Works (SFDPW) for water disposal into the combined sanitary sewer system.

Total recoverable petroleum hydrocarbons (TRPH) were detected in shallow soil samples at concentrations ranging from 29 to 880 milligrams per kilogram (mg/kg) or ppm. Diesel was detected at low concentrations of 3.4 ppm to 36 ppm in seven of the 14 samples analyzed. Low levels of gasoline were detected at concentrations of 1.2 ppm to 17 ppm in four of the 14 samples analyzed. BTEX compounds were detected in seven of the 14 samples analyzed at maximum concentrations of 1.6 ppm for benzene, 1.8 ppm for toluene, 0.2 ppm for ethylbenzene, and 0.97 ppm for total xylenes. No MTBE, SVOCs, or HVOCs were detected at or above the analytical method reporting limits in the soil samples analyzed.

Elevated levels of lead were detected in 13 of the 14 soil samples analyzed, at concentrations ranging from 4.4 to 560 ppm. Five samples with elevated levels of total lead (above 50 ppm) were analyzed for soluble lead using the Soluble Threshold Limit Concentration (STLC) by California Waste Extraction Test (WET) method and Federal Toxicity Characteristic Leaching Potential (TCLP) analyses. These soluble lead analyses were performed to assess if lead concentrations in select soil samples exceeded State and/or Federal hazardous waste levels. STLC lead was detected in the five selected samples analyzed, at concentrations ranging from 7.7 to 27 mg/L. TCLP lead was detected in one of the five samples analyzed at a concentration of 4.9 ppm.

Construction of the proposed new building at 55 Ninth Street would entail excavation of about 37,000 cubic yards of soil. The ESA concluded that, because of the lead contamination discussed above as well as elevated levels of chromium, nickel, and zinc found in some samples, the fill in the southern corner of the site to a depth of two feet below ground surface would likely require disposal at a regulated Class I hazardous waste landfill. Fill material in the southern corner below two feet below ground surface, and fill near the middle of the site and the middle of the site's frontage along Ninth Street, is likely to be acceptable for disposal at a Class II landfill. Other areas of the site may or may not be underlain by fill classified as hazardous waste. The Dune sand beneath the fill material did not contain any elevated concentrations of lead or petroleum hydrocarbons and its disposal would not be regulated. Because hazardous materials were detected in the soils on the site, a Site Mitigation Plan (SMP) and a Health and Safety (H&S) Plan would be required prior to construction. The project sponsor has agreed to implement Mitigation Measure Number 2(b) in the Mitigation Measures section of the Initial Study, which would ensure that any potential impacts due to the presence of petroleum hydrocarbons, heavy metals, or other hazardous materials in soils on the project site would be reduced to a less than significant level.

Testing of the two groundwater samples found low levels of diesel, at concentrations of 840 and 180 micrograms per liter (ug/l) or parts per billion (ppb), respectively. These analytical results were within quantitative range for the reported analyses, but the chromatographic pattern was not typical of fuel. TPH as gasoline was detected in one groundwater sample at a concentration of 270 ppb. SVOCs including bis(2-ethylhexyl)phthalate and di-n-butylphthalate were detected in one boring, at concentrations of 16 and 18 ppb, respectively. Total suspended solids (TSS) and chemical oxygen demand (COD) were detected in the one groundwater sample, at a concentration of 30 ppm and 40 ppm, respectively. No BTEX, MTBE, TRPH, HVOCs, or total lead was detected at or above method

reporting limits. Based on the analytical results of the two groundwater samples, discharge of water produced from construction dewatering to the combined sanitary sewer system would be acceptable to SFDPW.

Fire Hazards

San Francisco ensures fire safety primarily through provisions of the Building Code and the Fire Code. Existing buildings are required to meet standards contained in these codes. The proposed project would conform to these standards, including development of an emergency procedure manual and an exit drill plan. Occupants of the proposed building would contribute to congestion if an emergency evacuation of the Mid-Market area were required. Section 12.202(e)(1) of the San Francisco Fire Code requires that all owners of high-rise buildings (over 75 feet) "shall establish or cause to be established procedures to be followed in case of fire or other emergencies. All such procedures shall be reviewed and approved by the chief of division." Additionally, project construction would have to conform to the provisions of the Building and Fire Codes which require additional life-safety protections for high-rise buildings. In this way, potential fire hazards (including those associated with hydrant water pressure and emergency access) would be mitigated during the permit review process.

In conclusion, potential public health and safety hazards related to the possible presence of underground storage tanks, soil contaminated with petroleum hydrocarbons and heavy metals on the project site, and potential fire hazards in the new building would be reduced to a less than significant level as a result of regulations and procedures already established as part of the review process for building permits and mitigation proposed as part of the project. Therefore, the EIR will not discuss hazards.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
13. <u>Cultural</u> - Could the project:			
a. Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community, ethnic or social group; or a paleontological site except as a part of a scientific study?	☐	☒	☒
b. Conflict with established recreational, educational, religious or scientific uses of the area?	☐	☒	☒
c. Conflict with the preservation of buildings subject to the provisions of Article 10 or (proposed) Article 11 of the City Planning Code?	☐	☒	☒

Prehistoric and Historic Archaeological Resources

A cultural resources evaluation of the project site was completed by an independent consultant and is summarized here.¹²

¹² Allen G. Pastron, PhD., *Archival Cultural Resources Evaluation of the Proposed State Compensation Insurance Fund Project, 55 Ninth Street, San Francisco, California*, June 2001.

No prehistoric resources exist within the present project site, but the site has not been subject to previous archaeological investigation. Available documentary evidence suggests the possibility that significant prehistoric archaeological resources may be within the subject property. Previous research in San Francisco suggests that the project site was near what early maps and archaeological evidence indicate would have represented a favorable habitat for Native American hunters and gatherers. The presence of deeply buried prehistoric cultural deposits as near as one block from the site indicates that prehistoric resources may be present within the project site at depths that are not easily predictable.

Archival resources indicate that there is little likelihood of recovering cultural resources from the Spanish, Mexican, or Early American periods. These archival data indicate that between 1776 and 1852, the project site remained in a natural state, unoccupied and, for the most part, undeveloped. The presence of the Mission Plank Road (modern day Mission Street) was the one major man-made alteration to the landscape. This thoroughfare, constructed in 1851 as a private toll road, ran along the present alignment of Mission Street from Third Street as far as 15th Street. There is the possibility that travelers utilizing this roadway may have visited the project site, but there is no indication of historic period occupation of the site until c.1857.

There is a distinct possibility that Gold Rush and/or Later Nineteenth Century cultural resources may lie buried below the ground surface of the site. The report concludes that, based on the body of archival documentation examined and assessed during the course of the present research, there is a potential for significant subsurface archaeological resources to be present within the project site that could be adversely impacted by the proposed project. Based on the available documentary evidence and the project site's historical topographic and ecological features, there is a strong possibility that archaeological resources may be present within the project site that would be potentially eligible under criterion D (yielding, or likely to yield, information important in prehistory or history) for listing in the California Register of Historic Resources. Construction of the proposed project would require excavation of approximately 37,000 cubic yards of soil, and would be to a depth of approximately 45 feet. Given the potential presence of archaeological resources on the site, a program of pre-construction archaeological testing and evaluation is recommended to determine the presence or absence of subsurface archaeological resources, as identified in Mitigation Measure No. 3, pages 37 to 42. This Mitigation Measure would reduce impacts on significant archaeological resources to a less than significant level, and archaeological resources will not be discussed further in the EIR.

Historic Architectural Resources

The project site is an existing surface parking lot with approximately 173 parking spaces. The project site is not listed in the National Register of Historic Places, Article 10 of the *Planning Code* (which concerns sites such as designated City Landmarks and buildings within Historic Districts), or Article 11 of the *Planning Code* (which involves rating buildings for their architectural significance). The San Francisco Merchandise Mart building at 1301 Market Street, located across Ninth Street from the proposed project site, is rated Category I building under Article 11 of the *Planning Code*. However, the proposed project would not alter or have any substantial effect on this rated

building. Therefore, the proposed project would not have any significant impact on architectural or historical resources and this environmental topic will not be discussed further in the EIR.

Yes No Discussed

C. OTHER

Require approval and/or permits from City Departments other than the Planning Department or Department of Building Inspection or from Regional, State or Federal Agencies?

☒ ☐ ☒

The proposed project would require approval from the Department of Public Works for the merging of two lots.

D. MITIGATION MEASURES PROPOSED AS PART OF THE PROJECT

Yes No N/A Discussed

- 1. Could the project have significant effect if mitigation measures are not included in the project?
- 2. Are all mitigation measures necessary to eliminate significant effects included in the project?

☒ ☐ ☐ ☒

To be Determined

The following mitigation measures are related to topics determined to require no further analysis in the EIR. These mitigation measures are necessary to avoid or reduce potential significant effects of the project and would be included in the project by the project sponsor. The EIR will contain a Mitigation Measures chapter which describes these measures and includes other measures which would or could be adopted to reduce potential adverse effects of the project identified in the EIR.

The project sponsor has agreed to implement the following mitigation measures:

Mitigation Measure 1

Construction Air Quality: The project sponsor shall require the construction contractor(s) to spray the project site with water during demolition, excavation, grading, and site preparation activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other such material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during these periods at least once per day to reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require the construction contractor(s) to obtain reclaimed water from the Clean Water Program for this purpose.

The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as prohibiting idling motors when equipment is not in use or when trucks are waiting in queues, and implementing specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Mitigation Measure 2(a)

Hazards (Underground Storage Tanks): The project sponsor shall evaluate the presence of the suspected UST located at the entrance to the existing parking lot on the site. If a UST is found, it shall be removed by the project sponsor, and all work shall be conducted in accordance with regulatory requirements. In the case a UST is found, surrounding soils shall be tested, and any soil found to be contaminated at or above potentially hazardous levels shall be handled and disposed in accordance with Mitigation Measure No. 2(b), below.

Mitigation Measure 2(b)

Hazards (Contaminated Soil):

Step 1: Preparation of Site Mitigation Plan:

If, based on the results of the soil tests conducted, the San Francisco Department of Public Health (DPH) determines that the soils on the project site are contaminated with lead or other contaminants at or above potentially hazardous levels, the DPH shall determine if preparation of a Site Mitigation Plan (SMP) is warranted. If such a plan is requested by the DPH, the SMP shall include a discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including, but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. The SMP shall be submitted to the DPH for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file.

Step 2: Handling, Hauling, and Disposal of Contaminated Soils

(a) specific work practices: If based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated with lead or other contaminants at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations, including OSHA lead-safe work practices) when such soils are encountered on the site.

(b) dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after work hours.

(c) surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

Step 3: Preparation of Closure/Certification Report

After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure 3

Cultural Resources: Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension were the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate *as an historical resource* any archeological resource presumed to be within the site.

- At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that

may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource were present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B. A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and

significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a

Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

E. IMPROVEMENT MEASURES

Improvement measures diminish effects of the project that were found through the environmental analysis to be less-than significant impacts.

Improvement Measure 1

Geotechnical Report Recommendations: The project sponsor shall incorporate the recommendations in the conclusions of the Geotechnical Investigation Report on the project site.

F. ALTERNATIVES

Alternatives to the proposed project will be defined further and described in the EIR. At a minimum, the alternatives analyzed in the EIR will include the following:

1. A No Project Alternative, in which the project site would remain in its existing parking condition.
2. A Code-Conforming Alternative, in which the proposed uses would be at a lower level of intensity that would comply with existing height and bulk restrictions.

G. MANDATORY FINDINGS OF SIGNIFICANCE

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?	☐	☒	☐
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☒	☐
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)	☒	☐	☐
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐

H. ON THE BASIS OF THIS INITIAL STUDY

- ☐ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Department of City Planning.
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.
- ☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: 11/30/02

Paul E. Maltzer, for

PAUL E. MALTZER
Environmental Review Officer
for
Gerald G. Green
Director of Planning





PLANNING DEPARTMENT

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INTERNET WEB SITE
WWW.SFGOV.ORG/PLANNING

TO: Interested Parties

FROM: Paul Maltzer, Environmental Review Officer

DATE: November 30, 2002

RE: Enclosed Notices – Case No. 2001.1039E - 55 Ninth Street

DOCUMENTS DEPT.

DEC - 2 2002

SAN FRANCISCO
PUBLIC LIBRARY

Enclosed for your information and review are a Notice of Preparation of a Draft Environmental Impact Report (EIR) and a Notice that an Environmental Impact Report is Determined to be Required for the above-referenced project. These notices are required under state and local law and are being sent to you because you have expressed an interest in the proposed project or the project area, or because you have been identified by the Planning Department as potentially having an interest in the project. Notice of publication of these documents will also be printed in a newspaper of general circulation on Saturday, November 30, 2002.

An Initial Study has been prepared and provides further information regarding the proposed project and the environmental issues to be considered in the Draft EIR. The Initial Study is either attached or is available for review upon request from **Art Aguilar** at **(415) 558-5973** or you may write to his attention at the address above.

As stated in the Notices, the Planning Department has determined that an EIR must be prepared for the proposed project prior to any final decision regarding whether to approve the project. The purpose of the EIR is to provide information about potential significant physical environmental effects of the proposed project, to identify possible ways to minimize the significant effects, and to describe and analyze possible alternatives to the proposed project. Please note that preparation of an EIR does not indicate a decision by the City to approve or to disapprove the proposed project. Prior to making any such decision, the decision makers must review and consider the information contained in the EIR.

An appeal, as stated on the attached notices, requires the Planning Commission to determine whether or not an EIR must be prepared, based upon whether or not the project could have a substantial adverse effect on the physical environment. If an appeal is filed, there will be public hearing at which anyone may testify for or against the contention that an EIR is required. In the absence of an appeal, the Planning Department will proceed with its decision to prepare an EIR.

If you have any questions concerning the attached materials or this process or would like to review the Initial Study, please contact Mr. Aguilar at the Planning Department.



Let B_t be a Brownian motion starting at x . Then B_t is a Gaussian process with mean x and covariance $\min(t, s)$. In particular, B_t is a martingale. Let τ be a stopping time. Then B_{τ} is a Gaussian random variable with mean x and variance τ . In particular, B_{τ} is a martingale.

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PLANNING DEPARTMENT

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INTERNET WEB SITE
WWW.SFGOV.ORG/PLANNING

DATE: November 30, 2002

TO: Responsible Agencies, Trustee Agencies, and Interested Parties

FROM: San Francisco Planning Department

RE: Notice of Preparation of a Draft Environmental Impact Report

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The San Francisco Planning Department is the Lead Agency and is preparing an Environmental Impact Report (EIR) for the project identified below. You have requested notification of Environmental Impact Reports prepared by our agency. The project detailed below and on the attached notice has been determined to require an Environmental Impact Report

Project Title: 2001.1039E: 55 Ninth Street
Project Sponsors: State Compensation Insurance Fund

Project Description: The State Compensation Insurance Fund (SCIF) proposes to expand their San Francisco office at 1275 Market Street by constructing an adjacent 11-story, approximately 268,000 square-foot office building at 55 Ninth Street. The project site (Assessor's Block 3701, Lot 63) is occupied by a surface parking with about 173 parking spaces, located mid-block on the northeastern side of Ninth Street in the block bounded by Market, Ninth, Mission, and Eighth Streets in the Mid-Market neighborhood. The new building would be approximately 175 feet high, plus a 31-foot mechanical penthouse, and would contain about 268,000 square feet of office space and a two-level below-grade parking garage with about 134 parking spaces. The proposed building would share open space with and be connected to the adjacent SCIF office building (Lot 64) by a pedestrian bridge located on the second floor and a pedestrian tunnel connection on the second level of the parking garage. The entrance to the new building and access to off-street parking and loading would be from Ninth Street. There would be four loading bays and a trash compactor on the ground level in the center of the building. Trucks would enter and exit on Ninth Street and could exit to Laskie Street onto Mission Street. The project site is zoned C-3-G (Downtown General Commercial) and is within a 120-X Height and Bulk District. The proposed project would require authorization by the San Francisco Planning Commission pursuant to San Francisco *Planning Code* Section 309 (Permit Review in C-3 Districts) and Section 321 (Office Development: Annual Limit), a height and bulk reclassification, and exception to the bulk requirements. The proposed project would also require approval by the San Francisco Department of Public Works of a merge of Lots 63 and 64.

If your agency is a Responsible or a Trustee Agency, we need to know the views of your agency as to the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project. We will also need the name of the contact person for your agency.

Comments concerning the environmental effects of this project are welcomed. In order for your concerns to be fully considered throughout the environmental review process, we would appreciate receiving any comments you may have about issues to be addressed in the Environmental Impact Report by **December 30, 2002**. The proposed project may have environmental impacts and an Initial Study has been prepared to consider these and identify issues that will require analysis in the EIR. The Initial Study is either attached or is available for review upon request from Art Aguilar from the Planning Department. If you wish to receive a copy of the Draft EIR directly when it is available, please contact Art Aguilar. Please direct all requests and all responses to this notice to Art Aguilar at (415) 558-5973 or in writing at the address above.



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NOTICE OF PUBLIC SCOPING MEETING

DATE: Monday, December 16, 2002

TIME: 5:00 p.m.

PLACE: Ramada Plaza Hotel
1231 Market Street (Market and Eighth Streets)
San Francisco, CA 94103

DOCUMENTS DEPT.

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Project Description: The State Compensation Insurance Fund (SCIF) proposes to expand their San Francisco office at 1275 Market Street by constructing an adjacent 11-story, approximately 268,000 square-foot office building at 55 Ninth Street. The project site (Assessor's Block 3701, Lot 63) is occupied by a surface parking with about 173 parking spaces, located mid-block on the northeastern side of Ninth Street in the block bounded by Market, Ninth, Mission, and Eighth Streets in the Mid-Market neighborhood. The new building would be approximately 175 feet high, plus a 31-foot mechanical penthouse, and would contain about 268,000 square feet of office space and a two-level below-grade parking garage with about 134 parking spaces. The proposed building would share open space with and be connected to the adjacent SCIF office building (Lot 64) by a pedestrian bridge located on the second floor and a pedestrian tunnel connection on the second level of the parking garage. The entrance to the new building and access to off-street parking and loading would be from Ninth Street. There would be four loading bays and a trash compactor on the ground level in the center of the building. Trucks would enter and exit on Ninth Street and could exit to Laskie Street onto Mission Street. The project site is zoned C-3-G (Downtown General Commercial) and is within a 120-X Height and Bulk District. The proposed project would require authorization by the San Francisco Planning Commission pursuant to San Francisco *Planning Code* Section 309 (Permit Review in C-3 Districts) and Section 321 (Office Development: Annual Limit), a height and bulk reclassification, and exception to the bulk requirements. The proposed project would also require approval by the San Francisco Department of Public Works of a merge of Lots 63 and 64.

The Planning Department is holding a PUBLIC SCOPING MEETING concerning the Environmental Impact Report (EIR) for the above-mentioned project on **Monday, December 16, 2002** at the Ramada Plaza Hotel, 1231 Market Street (Eighth and Market Streets), San Francisco, CA 94103 at 5:00 p.m. This meeting would satisfy the criteria of the State of California Public Resources Code Section 21083.9 and State CEQA Guidelines Section 15206.

The purpose of this meeting is to assist the Planning Department in reviewing the scope and content of the environmental impact analysis and information to be contained in the EIR for the proposed project. Depending on the turnout of the meeting, each member of the public may have a limited amount of time to comment and offer testimony for consideration. Written comment will also be accepted at this meeting.

If you have any questions concerning this matter or if you'd like to receive a copy of the EIR Requirement, which was published for this project on November 30, 2002, please contact **Art Aguilar**, MEA Staff Planner of this Department at (415) 558-5973.

The proposed project may have environmental impacts and an Initial Study (IS) has been prepared to consider these and identify issues that will require analysis in the EIR. The Initial Study is available now from the Planning Department upon request. The Initial Study documents the determination of the Planning Department's

Major Environmental Analysis Section that the proposed project may have a significant effect on the environment and therefore an Environmental Impact Report is required. Preparation of an Initial Study or an Environmental Impact Report does not indicate a decision by the City to carry out or not to carry out the proposed project.

POTENTIAL ENVIRONMENTAL ISSUES

The proposed project could result in potentially significant environmental effects. The EIR will examine those effects, identify mitigation measures, and analyze whether proposed mitigation measures would reduce the environmental effects to a less than significant level as defined by CEQA. The following environmental issues are likely to be included in the EIR:

Land Use	The EIR will provide additional discussion of Land Use for informational purposes, although the impacts were determined in the Initial Study to be less than significant.
Visual Quality	The EIR will discuss the effects on views and aesthetics and will include visual simulations.
Transportation	The EIR will analyze potential traffic impacts of the proposed project as well as whether the proposed project would result in increased demand for parking, transit services, and traffic such that it has a significant effect on the environment.
Wind and Shadows	The EIR will study potential effects from wind and shadows. Any new shadows resulting from the proposed project will be analyzed. A wind tunnel test will be performed and the effects of the proposed project will be compared to the applicable criteria.

